Article 3
Federal Operating Permit

This permit is based upon Federal Clean Air Act acid rain permitting requirements of Title IV, federal operating permit requirements of Title V; and Chapter 80, Article 3 and Chapter 140 of the State Air Pollution Control Board Regulations for the Control and Abatement of Air Pollution. Until such time as this permit is reopened and revised, modified, revoked, terminated or expires, the permittee is authorized to operate in accordance with the terms and conditions contained herein. This permit is issued under the authority of Title 10.1, Chapter 13: 10.1-1322 of the Air Pollution Control Law of Virginia. This permit is issued consistent with the Administrative Process Act, 9 VAC 5-80-360 through 9 VAC 5-80-700, and 9 VAC 5-140-10 through 9 VAC 5-140-900 of the State Air Pollution Control Board Regulations for the Control and Abatement of Air Pollution of the Commonwealth of Virginia.

Authorization to operate a Stationary Source of Air Pollution as described in this permit is hereby granted to:

Permittee Name:	Virginia Electric and Power Company
Facility Name: Facility Location:	Southampton Power Station 30134 General Thomas Highway Franklin, Virginia 23851
VA Registration Number: Permit Number:	**61093** TRO-61093

This permit includes the following enforcement programs:

Federally Enforceable Requirements Clean Air Act (Sections I through XII)

Federally Enforceable Requirements Title IV Acid Rain (Section XIII)

Federally Enforceable Requirements NO_x Allowance Budget Trading Requirements (Section XIV)

State Only Enforceable Requirements (Section XV)
The permit application submitted for this source including the attached NO_x compliance plan and NO_x Averaging Plan has been attached to this document.

The Phase II Acid Rain Permit (Effective Date January 1, 2006) has been attached to this document.

JANUARY 1, 2006
Effective Date

DECEMBER 31, 2010
Expiration Date

DECEMBER 28, 2005
Signature Date

_____ (for)
Robert G. Burnley
Director, Department of Environmental Quality

Table of Contents, 4 pages
Permit Conditions, 51 pages

Virginia Electric and Power Company - Southampton Power Station Title V Operating Permit Table of Contents

I. Facility Information

Permittee
Virginia Electric and Power Company
5000 Dominion Boulevard
Glen Allen, Virginia 23060

Responsible Official
Katheryn B. Curtis
Station Director
Southampton Power Station
(804) 273-2901

Acid Rain Designated Representative
J. David Rives
Vice President, Fossil & Hydro
USEPA ATS-AAR ID number 2099

NO_x Budget Trading Authorized Account Representative
J. David Rives
Vice President, Fossil & Hydro
USEPA AAR ID number 2099

Facility
Southampton Power Station
30134 General Thomas Highway
Franklin, Virginia

Contact Person
Cathy C. Taylor
Director
(804) 273-2929

County-Plant Identification Number: 51-175-00051

ORIS Code: 10774

NATS Codes: 10774000001 and 10774000002

Facility Description: NAICS Numbers 221112, 221121, and 221122 - The Southampton Power Station (SPS) is an electric generating facility that produces electricity for Dominion and process steam for sale to Hercules Chemical Plant. At maximum capacity, SPS produces 62.7 MW_{NET} of electricity and up to 95,000 lbs/hr of process steam. The Station includes two coal-fired stoker boilers with associated coal, lime, ash, and fuel oil handling systems, as well as several small diesel engine sources used to provide redundant or backup capability. Although coal is the primary fuel for the stoker boilers, each boiler can fire tall oil (from the Hercules Plant) or No. 2 fuel oil with coal and No. 2 fuel oil for startup and warm standby. One auxiliary boiler is located at SPS to provide steam to the host during times when the Station is not generating electricity.

II. Emission Units

Equipment to be operated consists of:

Emission Unit ID	Stack ID	Emission Unit Description	Size/Rated Capacity *	Pollution Control Device Description (PCD)	PCD ID	Pollutant Controlled	Applicable Permit Date
Fuel Burning Equipment / Utility Units							
001	001	Spreader Stoker Boiler #1 combusts Coal, Tall Oil & Coal, or No.2 Fuel Oil & Coal to generate steam for process use and electricity generation	400 MMBTU/hour (nominal)	Overfire Air System – staged combustion; Lime Scrubber for reduction of SO_2 ; and Fabric Filter Baghouse	EC-1a, EC-1b, EC-1c	NO_x, SO_2, PM-10, PM, Metals	December 5, 1996
002	001	Spreader Stoker Boiler #2 combusts Coal, Tall Oil & Coal, or No. 2 Fuel Oil & Coal to generate steam for process use and electricity generation	400 MMBTU/hour (nominal)	Overfire Air System – staged combustion; Lime Scrubber for reduction of SO_2 ; and Fabric Filter Baghouse	EC-2a, EC-2b, EC-2c	NO_x, SO_2, PM-10, PM, Metals	December 5, 1996
004	004	Auxiliary Boiler combusts tall oil or No. 2 fuel oil to produce steam for process use	81.58 MMBTU/hour (nominal)	Low NO_x Burners	EC-4	NO_x	December 5, 1996

006	006	Auxiliary Diesel Generator	1.4 MMBTU/hour 410 kW (nominal)	n/a	n/a	n/a	December 5, 1996
007	007	Emergency Diesel Feedwater Pump	1.23 MMBTU/hour 126 BHP (nominal)	n/a	n/a	n/a	December 5, 1996
008	008	Diesel Firewater Pump Engine	0.68 MMBTU/hour 208 BHP (nominal)	n/a	n/a	n/a	December 5, 1996
009	009	Portable Diesel Air Compressor Engine	0.49 MMBTU/hr 80 BHP (nominal)	n/a	n/a	n/a	December 5, 1996
Coal, Ash, and Lime Handling							
010a	FUGITIVE	Coal Unloading - railcar dumping to below grade hoppers	400 tph	Dust Suppression Sprays	EC-10a	PM, PM-10	December 5, 1996
010b	FUGITIVE	Coal Pile Stacking - coal stacker tube	400 tph	n/a	n/a	n/a	December 5, 1996
010c	FUGITIVE	Reclaim Hopper Loading - front-end loader dump to grade mounted hopper	150 tph	Dust Suppression Sprays	EC-10c	PM, PM-10	December 5, 1996
010d	FUGITIVE	Coal Crushing Operations - coal crushers	150 tph	Building Enclosure/Sprays	EC-10d	PM, PM-10	December 5, 1996
010e	010e	Coal Silo #1 - crushed coal storage	180 tons 400 acfm	Bin Vent Filter	EC-10e	PM, PM-10	December 5, 1996

010f	010f	Coal Silo #2 - crushed coal storage	180 tons 400 acfm	Bin Vent Filter	EC-10f	PM, PM-10	December 5, 1996
010g	010g	Coal Silo #3 - crushed coal storage	180 tons 400 acfm	Bin Vent Filter	EC-10g	PM, PM-10	December 5, 1996
010h	010h	Coal Silo #4 - crushed coal storage	180 tons 400 acfm	Bin Vent Filter	EC-10h	PM, PM-10	December 5, 1996
010i	FUGITIVE	Coal Storage Pile – outdoor coal storage	31,000 tons	n/a	n/a	n/a	December 5, 1996
011	011	Ash conveying - A ash conveying blower	27.8 tph	Baghouse	EC-11	PM, PM-10	December 5, 1996
012	012	Ash conveying - B ash conveying blower	27.8 tph	Baghouse	EC-12	PM, PM-10	December 5, 1996
013	013	Ash conveying - C ash conveying blower	27.8 tph	Baghouse	EC-13	PM, PM-10	December 5, 1996
014	014	Recycle Ash Bin - recycle ash storage	26.5 tons	Bin Vent Filter	EC-14	PM, PM-10	December 5, 1996
015	015	Ash Silo - fly ash/bottom ash storage	530 tons 2000 acfm	Bin Vent Filter	EC-15	PM, PM-10	December 5, 1996
016	FUGITIVE	Ash Unloading Feeder - ash unloading	60 tph	Ash Conditioning System - water sprays	EC-16	PM, PM-10	December 5, 1996

017	017	Lime Silo - pebble lime storage	135 tons	Bin Vent Filter	EC-17	PM, PM-10	December 5, 1996
Fuel Oil Storage							
018	NA	Fuel Oil Storage - main No. 2 fuel oil storage tank	42,000 gallons	n/a	n/a	n/a	December 5, 1996

*Size/rated capacity is provided for informational purposes only and is not an applicable requirement.

III. Fuel Burning Equipment Requirements – Unit Reference Nos. 001 and 002

A. Limitations

1. The facility-wide annual throughput of coal shall not exceed 253,932 tons, calculated monthly as the sum of each consecutive 12-month period.
(9 VAC 5-80-490 B & C of State Regulations, Part I, Condition 17, PSD permit issued 12/5/96)

2. Emissions from the operation of the primary coal boilers (Unit Ref. Nos. 001 & 002) shall not exceed the limitations specified in the table below. Unless otherwise specified by this permit, the permittee shall comply with the applicable Acid Rain Provisions of 40 CFR Parts 72, 73, and 75. The Phase II Acid Rain permit effective January 1, 2006, is incorporated by reference into this permit (see Section XIII of this permit document).

Nitrogen Oxides (as NO_2)	0.43 lb/million btu during steam-firing only; 0.50 lb/million btu during electricity generating only. Each limitation averaged on a 30-day rolling average basis		(9 VAC 5-50-280)
Nitrogen Oxides (as NO_2)	189.5 lbs/hour	796 tons/year*	(9 VAC 5-50-280)
Sulfur Dioxide	0.162 lb/million btu on a 30-day rolling average basis		(9 VAC 5-50-280)
Sulfur Dioxide	61.3 lbs/hour	257 tons/year*	(9 VAC 5-50-280)
PM-10	0.018 lb/million btu		(9 VAC 5-50-260)
PM-10	6.8 lbs/hour	29 tons/year*	(9 VAC 5-50-260)
Total Suspended Particulate	0.020 lb/million btu		(9 VAC 5-50-260)

Total Suspended Particulate	7.6 lbs/hour	32 tons/year*	(9 VAC 5-50-260)
Carbon Monoxide	0.20 lb/million btu		(9 VAC 5-50-260)
Carbon Monoxide	76.0 lbs/hour	318 tons/year*	(9 VAC 5-50-260)
Volatile Organic Compounds	0.03 lb/million btu		(9 VAC 5-50-260)
Volatile Organic Compounds	11.4 lbs/hour	48 tons/year*	(9 VAC 5-50-260)

* Annual emissions of NO_x, SO_2, PM-10, PM, CO, and VOC shall be calculated monthly as the sum of each consecutive 12-month period.
(9 VAC 5-80-490 B & C of State Regulations, 40 CFR 60.42a, 60.43a, and 60.44a, and 40 CFR Parts 72, 73, and 75, and Part I, Condition 26, PSD permit issued 12/5/96)

3. The facility-wide annual throughput of tall oil (byproducts) and No. 2 fuel oil combined shall not exceed 5,879,518 gallons, calculated monthly as the sum of each consecutive 12-month period.
(9 VAC 5-80-490 B & C of State Regulations, Part I, Condition 18, PSD permit issued 12/5/96)

4. Each primary coal boiler (Unit Ref. Nos. 001 & 002) shall not operate more than 8,400 hours per year, calculated monthly as the sum of each consecutive 12-month period.
(9 VAC 5-80-490 B & C of State Regulations, Part I, Condition 19, PSD permit issued 12/5/96)

5. The primary coal boilers (Unit Ref. Nos. 001 & 002) shall be operated at a heat input rate not to exceed the rate at which compliance with the emission limits for particulates, sulfur dioxide, nitrogen oxides, volatile organic compounds, beryllium, and fluorides (as stipulated in Specific Conditions 2 and 93 of this document) has been demonstrated by stack emission tests.
(9 VAC 5-80-490 B & C of State Regulations, Part I, Condition 20, PSD permit issued 12/5/96, 40 CFR 60.42a(a)(1), 60.43a(a), (b), (h) and (g), 60.44a(a) and (c))

6. The auxiliary boiler (Unit Ref. No. 004) and the primary coal boilers (Unit Ref. Nos. 001 & 002) shall not be operated concurrently, except during start-up and shutdown, and for no more than 12 hours over any consecutive 24-hour period and unless both primary coal boilers (Unit Ref. Nos. 001 & 002) are operating at 50 percent capacity or less.
(9 VAC 5-80-490 B & C of State Regulations, Part I, Condition 21, PSD permit issued 12/5/96)

7. Particulate emissions from the primary coal boilers (Unit Ref. Nos. 001 & 002) shall be controlled by an in-line multiple cyclone, a lime-water injection spray dryer, and a fabric filter rated at 99.9 percent control efficiency. The control systems shall be provided with adequate access for inspection. The fabric filter may be bypassed during non-coal fuel boiler start-ups to alleviate potential moisture damage to the baghouse at low start-up temperatures. Control efficiencies of the primary boiler fabric filters shall be demonstrated by maintaining records of proper operation and maintenance and by demonstrating compliance with the opacity standard as specified in Specific Condition 20 of this permit.
(9 VAC 5-80-1800 of State Regulations, Part I, Condition 4, PSD permit issued 12/5/96, and 40 CFR 60.42a(a)(1), (2), and (3), and 60.46a(a))

8. Sulfur dioxide emissions from the primary coal boilers (Unit Ref. Nos. 001 & 002) shall be controlled by a water-lime injection spray dryer (a dry FGD system) at 92 percent control efficiency on a 30-day rolling average basis. The control system shall be provided with adequate access for inspection. The control efficiency rate of the water-lime injection spray dryer shall be demonstrated on a 30-day rolling average basis based on CEMs data collected at the inlet and outlet of the spray dryer.
(9 VAC 5-80-1800 of State Regulations, Part I, Condition 7, PSD permit issued 12/5/96, and 40 CFR 60.43a(a), (b), (g), and (h))

9. Nitrogen oxide emissions from the primary coal boilers (Unit Ref. Nos. 001 & 002) shall be controlled by a continuous coal feed system, staged combustion and low excess air.
(9 VAC 5-80-1800 of State Regulations, Part I, Condition 8, PSD permit issued 12/5/96)

10. Approved fuels for the primary boilers (Unit Ref. Nos. 001 & 002) are bituminous coal, No. 2 fuel oil, and tall oil. No. 2 fuel oil is approved for use during boiler start-up and during coal firing only. The primary boiler injection ratio of tall oil to coal shall not exceed 1:4 (20% tall oil, 80% coal, by weight) for electric generating days, and 1:1 for days when any steam-only firing occurs. The primary boiler injection ratio of No. 2 fuel oil to coal shall not exceed 1:4 (20% No.2 fuel oil, 80% coal, by weight). Ratios shall be recorded for each boiler operating day to show compliance with 40 CFR, Part 60.44a. Quarterly excess emission reports of monitored NO_x emissions shall include thirty boiler operating days for electric generation and thirty boiler operating days for days when any steam-only firing occurs. Changes in fuel or fuel ratio may require a permit to modify and operate.
(9 VAC 5-80-1800 of State Regulations, Part I, Condition 35, PSD permit issued 12/5/96, 40 CFR 60.43a(h), and 40 CFR 60.44a(c))

11. The maximum sulfur content of coal for the primary coal boilers (Unit Ref. Nos. 001 & 002) shall not exceed 1.3 percent by weight per shipment. The permittee shall maintain records of all coal shipments received, indicating sulfur and ash content per shipment. These records shall be available on site for inspection by DEQ personnel and shall be kept on file for the most recent five (5) years.
(9 VAC 5-80-490 B & C of State Regulations, Part I, Condition 36, PSD permit issued 12/5/96)

12. The maximum sulfur content of the No. 2 fuel oil to be burned in the primary boilers (Unit Ref. Nos. 001 & 002) shall not exceed 0.3 percent by weight. The permittee shall maintain records of all No. 2 fuel oil shipments purchased. Such records shall include a certification from the fuel supplier for each shipment stating that the fuel oil sulfur content does not exceed 0.3 percent by weight. These records shall be available on site for inspection by DEQ personnel and shall be kept on file for the most recent five (5) years.
(9 VAC 5-80-490 B & C of State Regulations, Part I, Condition 37, PSD permit issued 12/5/96)

13. The annual average sulfur content of the No. 2 fuel oil to be burned in the primary boilers (Unit Ref. Nos. 001 & 002) shall not exceed 0.2 percent. The permittee shall perform a monthly sulfur analysis of the contents of the No. 2 fuel oil tank. The permittee shall calculate the annual average sulfur content of No. 2 fuel oil monthly as the sum of each consecutive 12-month period utilizing data obtained from the monthly sulfur analyses and maintain records of such calculations. These records shall be available on site for inspection by DEQ personnel and shall be kept on file for the most recent five (5) years.
(9 VAC 5-80-490 B & C of State Regulations, Part I, Condition 38, PSD permit issued 12/5/96)

14. The maximum sulfur content of the tall oil to be burned in the primary boilers (Unit Ref. Nos. 001 & 002) shall not exceed 1.6 percent for any calendar month. The permittee shall maintain records of all tall oil consumed, perform a monthly tall oil sulfur percentage analysis from weekly sampling of the blended tall oil, and maintain records of monthly tall oil sulfur percentages for each calendar month. These records shall be available on site for inspection by DEQ personnel and shall be kept on file for the most recent five (5) years.
(9 VAC 5-80-490 B & C of State Regulations, Part I, Condition 39, PSD permit issued 12/5/96)

15. Compliance with lb/mmBtu, lb/hour, and tons/year VOC and CO emission limits in Specific Condition 2 of this permit shall be determined by the use of pollutant-specific emission factors (derived from either AP-42 or stack testing), records of boiler heat input, and records of fuel throughput. The permittee shall calculate hourly (including lb/mmBtu) emissions daily on a 30-day rolling average basis and annual emissions monthly as the sum of each consecutive 12-month period. The permittee shall notify DEQ no less than 30 days prior to any scheduled stack test and submit the results of such testing to DEQ within 45 days of test completion. Records of stack test results shall be maintained on-site and available for inspection by DEQ for the life of the units.
(9 VAC 5-50-260 of State Regulations)

16. Compliance with the lb/hour and tons/year particulate (PM-10 and PM) emission limits in Specific Condition 2 of this permit shall be determined by the use of pollutant-specific emission factors (derived from either AP-42 or stack testing) and records of fuel throughput. In addition, the permittee shall demonstrate compliance by maintaining records of proper operation and maintenance of the cyclone, injection spray dryer, and fabric filter. The permittee shall calculate hourly emissions daily on a 30-day rolling average basis and annual emissions monthly as the sum of each consecutive 12-month period. The permittee shall notify DEQ no less than 30 days prior to any scheduled stack test and submit the results of such testing to DEQ within 45 days of test completion. Records of stack test results shall be maintained on-site and available for inspection by DEQ for the life of the units.
(9 VAC 5-50-260 of State Regulations)

17. Compliance with the tons/year NO_x and SO_2 emission limits in Specific Condition 2 of this permit shall be demonstrated by the use of the primary boiler NO_x and SO_2 CEMs, calculated monthly as the sum of each consecutive 12-month period.
(9 VAC 5-50-260 of State Regulations)

18. Visible emissions from any fabric filter vent or exhaust duct not monitored by COMs shall not exceed five (5) percent opacity as determined by EPA Reference Method 9 (reference 40 CFR 60, Appendix A).
(9 VAC 5-50-160 and 9 VAC 5-50-20 of State Regulations, Part I, Condition 33, PSD permit issued 12/5/96)

19. Visible emissions from the primary and auxiliary boiler stacks (Unit Ref. Nos. 001, 002, & 004) shall not exceed ten (10) percent opacity as determined by the continuous opacity monitor or EPA Reference Method 9 (ref. 40 CFR 60, App. A) except during one six-minute period per hour which shall not exceed twenty-seven (27) percent opacity.
(9 VAC 5-80-490 B & C of State Regulations, Part I, Condition 31, PSD permit issued 12/5/96, 40 CFR 60.42a(b), 40 CFR 60.43c(c) and (d), and 40 CFR 64.3 and 64.4)

B. Testing

20. In lieu of Method 9, the permittee shall perform a monthly visible emissions evaluation of all fabric filter vents or exhaust ducts not monitored by COMs to determine compliance with the opacity limitation of five (5) percent and the control efficiency requirement in Specific Condition 7 of this permit. An evaluation consisting of no visible emissions shall indicate compliance with the control efficiency requirement in Specific Condition 7 of this permit and the opacity limitation of 5%. The permittee shall log each evaluation in a logbook. If any visible emissions are present, the permittee shall record the incident in a logbook and undertake corrective action. Following corrective action, the permittee shall re-evaluate visible emissions until such time that a no visible emissions condition exists and record the incident in a logbook.
(9 VAC 5-50-20 of State Regulations)

21. The permittee shall perform a compliance test on the stacks of Unit Reference numbers 001 and 002 once over the life of the permit term to determine compliance with the lb/mmBtu particulate emission limitations in Specific Condition 2 of this permit. The permittee shall follow the compliance determination procedures found in 40 CFR 60.48a(b). The permittee shall notify DEQ no less than 30 days prior to any scheduled test and submit test results to DEQ within 45 days of test completion. The permittee shall maintain a record of the stack test results on-site and available for inspection by DEQ for the life of the units.
(40 CFR 60.48a(b))

22. If testing is conducted in addition to the monitoring specified in this permit, the permittee shall use the following test methods in accordance with procedures approved by the DEQ as follows:

Pollutant	**Test Method (40 CFR Part 60, Appendix A)**
VOC	EPA Methods 18, 25, 25a
VOC	EPA Methods 24, 24a
NO_x	EPA Method 7
SO_2	EPA Method 6
CO	EPA Method 10
PM/PM10	EPA Methods 5, 17
Visible Emission	EPA Method 9

The reference methods shown in the above table represent the methods or equivalent that should be used if DEQ requests emission testing of Unit Ref. Nos. 001 & 002. Equivalent alternative methods may be utilized upon prior written DEQ approval.
(9 VAC 5-80-490 E)

C. Monitoring

23. Continuous emission monitors shall be installed to measure and record the concentration of opacity, SO_2 (at inlet and outlet of spray dryer), NO_x, and CO_2 or O_2 emitted from the primary coal boilers (Unit Ref. Nos. 001 & 002). They shall be maintained and calibrated in accordance with approved procedures (reference 40 CFR 60.13 and 60.47a). A 30-day notification prior to the demonstration of continuous monitoring system performance and subsequent notifications are to be submitted to the Director, Tidewater Regional Office.
(9 VAC 5-50-40 of State Regulations, Part I, Condition 47, PSD permit issued 12/5/96, 40 CFR 60.46a(g) and 60.47a(a), (b), (c), and (d))

24. The continuous monitoring data generated by the SO_2 and NO_x monitors on the primary coal boilers (Unit Ref. Nos. 001 & 002) shall be used to determine compliance with the lb/hour and lb/mmBtu emissions standards in Specific Condition 2 of this permit on a 30-day rolling average basis. All of the data capture, quality assurance provisions, and reporting requirements of NSPS Subpart Da shall apply.
(9 VAC 5-50-40 of State Regulations, Part I, Condition 49, PSD permit issued 12/5/96, 40

CFR 60.46a(g), and 60.47a(c))

25. For the opacity monitors on the boilers (Unit Ref. Nos. 001, 002, & 004) the continuous monitoring and quality assurance data may, at the discretion of the Board, be used as evidence of violation of the opacity standards in accordance with Specific Condition 19 of this permit. For all other continuous monitors required by this permit, the continuous monitoring and quality assurance data may, at the discretion of the Board, be used as evidence of violation of the emission standards in Specific Condition 2 of this permit. These monitors are subject to such data capture requirements and/or quality assurance requirements as may be deemed appropriate by the Board (reference 40 CFR 60.13, 40 CFR 60, Appendix B, and 40 CFR Part 64).
(9 VAC 5-80-490 B & C of State Regulations, Part I, Condition 50, PSD permit issued 12/5/96)

D. Reporting

26. Quarterly excess emission reports of monitored NO_x emissions for the primary boilers (Unit Ref. Nos. 001 & 002) shall include thirty boiler operating days for electric generation, and thirty boiler operating days for days when any steam-only firing occurs. Quarterly excess emission reports of monitored SO_2 emissions for the primary boilers (Unit Ref. Nos. 001 & 002) shall include 30 boiler operating days. The reports shall be submitted to DEQ no later than 30 days following the end of each calendar quarter.
(9 VAC 5-80-1800 of State Regulations, Part I, Condition 35, PSD permit issued 12/5/96, and 40 CFR 60.49a(a) and (b))

27. For sulfur dioxide and nitrogen oxides, the following information shall be included in the quarterly excess emission reports for each 24-hour period and shall be submitted to the Director, Tidewater Regional Office:

    1. Calendar date.
    2. The average sulfur dioxide and nitrogen oxide emission rates (ng/J or lb/million Btu) for each 30 successive boiler operating days, ending with the last 30-day period in the quarter; reasons for non-compliance with the emission standards; and, description of corrective actions taken.
    3. Percent reduction of the potential combustion concentration of sulfur dioxide for each 30 successive boiler operating days, ending with the last 30-day period in the quarter; reasons for non-compliance with the standard; and, description of corrective actions taken.
    4. Identification of the boiler operating days for which pollutant or dilutent data have not been obtained by an approved method for at least 18 hours of operation of the facility; justification for not obtaining sufficient data; and description of corrective actions taken.
    5. Identification of the times when emissions data have been excluded from the calculation of average emission rates because of startup, shutdown, malfunction (NO_x only), emergency conditions (SO_2 only), or other reasons, and justification for excluding data for reasons other than startup, shutdown, malfunction, or emergency conditions.
    6. Identification of "F" factor used for calculations, method of determination, and type of fuel combusted.

7. Identification of times when hourly averages have been obtained based on manual sampling methods.
8. Identification of the times when the pollutant concentration exceeded full span of the continuous monitoring system.
9. Description of any modifications to the continuous monitoring system which could affect the ability of the continuous monitoring system to comply with Performance Specifications 2 or 3.

(40 CFR 60.49a(b)(1) through (b)(9))

28. If the minimum quantity of emission data as required by 40 CFR 60.47a is not obtained for any 30 successive boiler operating days, the following information obtained under the requirements of 40 CFR 60.46a(h) is reported to the Director, Tidewater Regional Office, for that 30-day period:
    1. The number of hourly averages available for outlet emission rates (n_0) and inlet emission rates (n_1) as applicable.
    2. The standard deviation of hourly averages for outlet emission rates (s_0) and inlet emission rates (s_1) as applicable.
    3. The lower confidence limit for the mean outlet emission rate (E_0*) and the upper confidence limit for the mean inlet emission rate (E_1*) as applicable.
    4. The applicable potential combustion concentration.
    5. The ratio of the upper confidence limit for the mean outlet emission rate (E_0*) and the allowable emission rate (E_{std}) as applicable.

    (40 CFR 60.49a(c)(1) through (c)(5))

E. Recordkeeping

29. The primary boiler (Unit Ref. Nos. 001 & 002) injection ratio of tall oil to coal shall not exceed 1:4 (20% tall oil, 80% coal, by weight) for electric generating days, and 1:1 for days when any steam-only firing occurs. The primary boiler injection ratio of No. 2 fuel oil to coal shall not exceed 1:4 (20% No.2 fuel oil, 80% coal, by weight). Ratios shall be recorded for each boiler operating day to show compliance with 40 CFR, Part 60.44a. Quarterly excess emission reports of monitored NO_x emissions shall include thirty boiler operating days for electric generation and thirty boiler operating days for days when any steam-only firing occurs. Changes in fuel or fuel ratio may require a permit to modify and operate.
    (9 VAC 5-80-1800 of State Regulations, Part I, Condition 35, PSD permit issued 12/5/96)

30. The permittee shall maintain records of all coal shipments received, indicating sulfur and ash content per shipment. These records shall be available on site for inspection by DEQ personnel and shall be kept on file for the most recent five (5) years.
    (9 VAC 5-80-490 B & C of State Regulations, Part I, Condition 36, PSD permit issued 12/5/96)

31. The permittee shall maintain records of all No. 2 fuel oil shipments purchased. Such records shall include a certification from the fuel supplier for each shipment stating that the fuel oil sulfur content does not exceed 0.3 percent by weight. These records shall be available on site for inspection by DEQ personnel and shall be kept on file for the most recent five (5) years.
(9 VAC 5-80-490 B & C of State Regulations, Part I, Condition 37, PSD permit issued 12/5/96)

32. The permittee shall maintain records of all No. 2 fuel oil shipments purchased and shall calculate the annual average sulfur content of No. 2 fuel oil monthly as the sum of each consecutive 12-month period. The permittee shall perform a monthly sulfur analysis of the contents of the No. 2 fuel oil tank. The permittee shall calculate the annual average sulfur content of No. 2 fuel oil monthly as the sum of each consecutive 12-month period utilizing data obtained from the monthly sulfur analyses and maintain records of such calculations. These records shall be available on site for inspection by DEQ personnel and shall be kept on file for the most recent five (5) years.
(9 VAC 5-80-490 B & C of State Regulations, Part I, Condition 38, PSD permit issued 12/5/96)

33. The permittee shall maintain records of all tall oil consumed and records of the sulfur percentage derived from each monthly analysis of weekly sampling of the blended tall oil. These records shall be available on site for inspection by DEQ personnel and shall be kept on file for the most recent five (5) years.
(9 VAC 5-80-490 B & C of State Regulations, Part I, Condition 39, PSD permit issued 12/5/96)

34. The permittee shall maintain records of all emission data and operating parameters necessary to demonstrate compliance with this permit. These records shall include, but are not limited to:
    a. Process throughputs and annual hours of operation calculated monthly as the sum of each consecutive 12-month period.
    b. The annual hours of concurrent operation of the primary boilers and the auxiliary boiler (identifying concurrent hours of operation that occur due to startup or shutdown), calculated monthly as the sum of each consecutive 12-month period.
    c. Records of boiler load for each of the primary boilers (Unit Ref. Nos. 001 and 002) during any hours of concurrent operation with the auxiliary boiler.
    d. All pollutant-specific emission factors (F-factors or AP-42) and calculations used to demonstrate compliance with the lb/mmBtu, lb/hour, and tons/year VOC; the lb/hour and tons/year particulate; and the tons/year NO_x and SO_2 emission limitations in Specific Condition 2 of this permit.
    e. All operation and maintenance records for the cyclone, injection spray dryer, and fabric filters.
    f. Records of injection spray dryer control efficiency rates on a 30-day rolling average basis based on CEMs data.
    g. All fuel supplier certifications. Vendor receipts indicating fuel oil percent sulfur per shipment shall be considered certifications for the purposes of this permit.
    h. All COMs data necessary to demonstrate compliance with the opacity limitations for the stacks of Unit Ref. Nos. 001, 002, and 004 in accordance with Specific Condition 19 of this permit; and all CEMs data necessary to demonstrate

compliance with the NO_x and SO_2 limitations specified in Specific Condition 2 of this permit.

i. Records of visible emissions observations/evaluations of the fabric filter vents and exhaust ducts.

j. Stack test results (including heat input) demonstrating compliance with the lb/mmBtu particulate limitations specified in Specific Condition 2 of this permit and demonstrating compliance with the provisions of Specific Condition 5 of this permit.

These records shall be available on site for inspection by DEQ and shall be current for the most recent five years.
(9 VAC 5-50-50 and 9 VAC 5-60-50 of State Regulations, Part II, Condition 4, PSD permit issued 12/5/96)

35. Unless otherwise specified by the conditions of this permit, the permittee shall comply with the recordkeeping and reporting provisions of 40 CFR 60 Subpart A for Unit Ref. Nos. 001, 002, and 004. The permittee shall maintain on-site records of all applicable provisions of 40 CFR 60 Subpart A which have been met. Such records shall be made readily available for inspection.
(40 CFR 60.7(a) through (h), 40 CFR 60.8(a) through (f), 40 CFR 60.11(a) through (f), 40 CFR 60.12, 40 CFR 60.13(a) through (h), and 40 CFR 60.19)

IV. Fuel Burning Equipment Requirements – Unit Reference No. 004, one (1) 81.58 MMBTU/hr auxiliary No. 2 oil/tall oil boiler

A. Limitations

36. Emissions from the auxiliary boiler (Unit Ref. No. 004) shall not exceed the limitations specified in the table below:

Nitrogen Oxides (as NO_2) No. 2 Oil	0.1 lb/million btu		9 VAC 5-50-280
Nitrogen Oxides (as NO_2) Tall Oil	0.65 lb/million btu		9 VAC 5-50-280
Nitrogen Oxides (as NO_2) No. 2 Fuel Oil	8.2 lbs/hour	-	9 VAC 5-50-280
Nitrogen Oxides (as NO_2) Tall Oil	53.0 lbs/hour	-	9 VAC 5-50-280
Sulfur Dioxide No. 2 Fuel Oil	0.31 lb/million btu on a 30-day rolling avg. basis		9 VAC 5-50-280
Sulfur Dioxide Tall Oil	1.16 lb/million btu on a 30-day rolling avg. basis		9 VAC 5-50-280
Sulfur Dioxide	25.3 lbs/hour	-	9 VAC 5-50-280

No. 2 Fuel Oil			
Sulfur Dioxide Tall Oil	94.3 lbs/hour	-	9 VAC 5-50-280
PM-10 No. 2 Fuel Oil	0.03 lb/million btu		9 VAC 5-50-260
PM-10 Tall Oil	0.12 lb/million btu		9 VAC 5-50-260
PM-10 No. 2 Fuel Oil	2.4 lbs/hour	-	9 VAC 5-50-260
PM-10 Tall Oil	9.8 lbs/hour	-	9 VAC 5-50-260
Total Suspended Particulate No. 2 Fuel Oil	0.04 lb/million btu		9 VAC 5-50-260
Total Suspended Particulate Tall Oil	0.16 lb/million btu		9 VAC 5-50-260
Total Suspended Particulate No. 2 Fuel Oil	3.3 lbs/hour	-	9 VAC 5-50-260
Total Suspended Particulate Tall Oil	13.1 lbs/hour	-	9 VAC 5-50-260
Carbon Monoxide No. 2 Fuel Oil	0.082 lb/million btu		9 VAC 5-50-260
Carbon Monoxide Tall Oil	0.12 lb/million btu		9 VAC 5-50-260
Carbon Monoxide No. 2 Fuel Oil	6.7 lbs/hour	-	9 VAC 5-50-260
Carbon Monoxide Tall Oil	9.8 lbs/hour	-	9 VAC 5-50-260
Volatile Organic Compounds No. 2 Fuel Oil	0.041 lb/million btu		9 VAC 5-50-270
Volatile Organic Compounds Tall Oil	0.07 lb/million btu		9 VAC 5-50-270

Volatile Organic Compounds No. 2 Fuel Oil	3.3 lbs/hour	-	9 VAC 5-50-270
Volatile Organic Compounds Tall Oil	5.7 lbs/hour	-	9 VAC 5-50-270

(9 VAC 5-80-490 B & C of State Regulations, 40 CFR 60.42c(e), and Part I, Condition 27, PSD permit issued 12/5/96)

37. The facility-wide annual throughput of tall oil (by products) and No. 2 fuel oil combined shall not exceed 5,879,518 gallons, calculated monthly as the sum of each consecutive 12-month period.
(9 VAC 5-80-490 B & C of State Regulations, Part I, Condition 18, PSD permit issued 12/5/96)

38. Particulate emissions from the auxiliary boiler (Unit Ref. No. 004) shall be controlled by combustion efficiency.
(9 VAC 5-80-10 F of State Regulations, Part I, Condition 5, PSD permit issued 12/5/96)

39. The auxiliary boiler (Unit Ref. No. 004) and the primary coal boilers (Unit Ref. Nos. 001 & 002) shall not be operated concurrently, except during start-up and shutdown, and for no more than 12 hours over any consecutive 24-hour period and unless both primary coal boilers (Unit Ref. Nos. 001 & 002) are operating at 50 percent capacity or less.
(9 VAC 5-80-490 B & C of State Regulations, Part I, Condition 21, PSD permit issued 12/5/96)

40. Visible emissions from the primary and auxiliary boiler stacks (Unit Ref. Nos. 001, 002, & 004) shall not exceed ten (10) percent opacity as determined by the continuous opacity monitor or EPA Method 9 (ref. 40 CFR 60, App. A) except during one six-minute period per hour which shall not exceed twenty-seven (27) percent opacity.
(9 VAC 5-80-490 B & C of State Regulations, Part I, Condition 31, PSD permit issued 12/5/96, and 40 CFR 60.43c(c))

41. The approved fuels for the auxiliary boiler (Unit Ref. No. 004) are tall oil (by-products) and No. 2 fuel oil. A change in the fuels may require a permit to modify and operate.
(9 VAC 5-80-10 of State Regulations, Part I, Condition 40, PSD permit issued 12/5/96)

42. The maximum sulfur content of the oil to be burned in the auxiliary boiler (Unit Ref. No. 004) shall not exceed 0.88 percent for tall oil for any calendar month and 0.3 percent for No. 2 fuel oil by weight. The permittee shall maintain records of all No. 2 fuel oil shipments purchased. Such records shall include a certification from the fuel supplier for each shipment stating that the fuel oil sulfur content does not exceed 0.3 percent by weight. The permittee shall maintain records of all tall oil consumed, perform a monthly tall oil sulfur percentage analysis from weekly sampling of the blended tall oil, and maintain records of monthly tall oil sulfur percentages for each calendar month. These records shall be available on site for inspection by DEQ personnel and shall be kept on file for the most recent five (5) years.
(9 VAC 5-80-490 B & C of State Regulations, Part I, Condition 41, PSD permit issued 12/5/96, and 40 CFR 60.42c(d))

43. The annual average sulfur content of the oil to be burned in the auxiliary boiler (Unit Ref. No. 004) shall not exceed 0.52 percent for tall oil and 0.2 percent for No. 2 fuel oil. The permittee shall calculate the annual average sulfur content of all No. 2 fuel oil consumed monthly as the sum of each consecutive 12-month period. The permittee shall perform a monthly sulfur analysis of the contents of the No. 2 fuel oil tank. The permittee shall calculate the annual average sulfur content of No. 2 fuel oil monthly as the sum of each consecutive 12-month period utilizing data obtained from the monthly sulfur analyses and maintain records of such calculations. The permittee shall calculate the annual average sulfur content of all tall oil consumed monthly as the sum of each consecutive 12-month period based on the monthly tall oil sulfur percentage analysis records required in Part II, Condition 33 of this permit. These records shall be available on site for inspection by DEQ personnel and shall be kept on file for the most recent five (5) years.
(9 VAC 5-80-490 B & C of State Regulations, Part I, Condition 42, PSD permit issued 12/5/96, and 40 CFR 60.42c(d))

44. The auxiliary boiler (Unit Ref. No. 004) stack height shall be 200 feet or greater.
(9 VAC 5-50-20 H of State Regulations, Part I, Condition 52, PSD permit issued 12/5/96)

B. Monitoring

45. A continuous emission monitor shall be installed to measure and record the opacity from the auxiliary boiler (Unit Ref. No. 004). It shall be maintained and calibrated in accordance with approved procedures (reference to 40 CFR 60.13).
(9 VAC 5-50-40 of State Regulations, Part I, Condition 48, PSD permit issued 12/5/96)

46. For the opacity monitor on the boilers (Unit Ref. Nos. 001, 002, & 004), the continuous monitoring and quality assurance data may, at the discretion of the Board, be used as evidence of violation of the opacity standards in Specific Condition 40 of this permit. For all other continuous monitors required by this permit, the continuous monitoring and quality assurance data may, at the discretion of the Board, be used as evidence of violation of the emission standards in Specific Condition 36 of this permit. These monitors are subject to such data capture requirements and/or quality assurance requirements as may be deemed appropriate by the Board (reference 40 CFR 60.13 and 40 CFR 60, Appendix B).
(9 VAC 5-80-490 B & C of State Regulations, Part I, Condition 50, PSD permit issued 12/5/96)

47. The permittee shall calculate emissions of NO_x, SO_2, PM-10, PM, CO, and VOC daily on a 30-day rolling average basis using appropriate pollutant-specific emission factors (F-factors or AP-42), hourly records of boiler heat input, and hourly throughput of tall oil and No. 2 fuel oil to demonstrate compliance with the emission limitations set forth in Specific Condition 36 of this permit. The permittee shall calculate lb/mmBtu SO_2 emissions in accordance with approved procedures outlined in 40 CFR 60.44c(e).
(9 VAC 5-80-490 B & C of State Regulations and 40 CFR 60.44c(e))

48. Compliance with the lb/mmBtu SO_2 emission limitations set forth in Specific Condition 36 of this permit shall be demonstrated by compliance with the SO_2 emission monitoring procedures outlined in 40 CFR 60.46c(d) or (e). If the permittee elects to follow the compliance procedures of 40 CFR 60.46c(e), the permittee shall obtain fuel supplier certifications as provided in 40 CFR 60.48c(f).
(9 VAC 5-80-490 B & C of State Regulations and 40 CFR 60.46c and 60.48c)

49. The permittee shall submit quarterly reports of SO_2 emissions and fuel oil sulfur content to the Director, Tidewater Regional Office. The quarterly reports shall be postmarked by the 30th day following the end of the reporting period. The reports shall include the information as specified in 40 CFR 60.48c(e).
(40 CFR 60.48c(d))

C. Reporting and Recordkeeping

50. The permittee shall maintain records of all No. 2 fuel oil shipments purchased including a certification statement from the fuel oil supplier that the sulfur content per shipment does not exceed 0.3 percent, and records of each monthly analysis of blended tall oil sulfur percentage for each calendar month. These records shall be available on site for inspection by DEQ personnel and shall be kept on file for the most recent five (5) years.
(9 VAC 5-80-490 B & C of State Regulations, Part I, Condition 41, PSD permit issued 12/5/96)

51. The permittee shall maintain records of the annual average sulfur content of all No. 2 fuel oil consumed calculated monthly as the sum of each consecutive 12-month period. This calculation shall be performed utilizing monthly fuel oil tank sulfur analysis data. These records shall be available on site for inspection by DEQ personnel and shall be kept on file for the most recent five (5) years.
(9 VAC 5-80-490 B & C of State Regulations, Part I, Condition 42, PSD permit issued 12/5/96)

52. The permittee shall maintain records of the annual average sulfur content of all tall oil consumed calculated monthly as the sum of each consecutive 12-month period. These records shall be available on site for inspection by DEQ personnel and shall be kept on file for the most recent five (5) years.
(9 VAC 5-80-490 B & C of State Regulations, Part I, Condition 39, PSD permit issued 12/5/96)

53. The permittee shall maintain records of all emission data and operating parameters necessary to demonstrate compliance with this permit. These records shall include, but are not limited to:

    a. Process throughputs and annual hours of operation calculated monthly as the sum of each consecutive 12-month period.
    b. All fuel supplier certifications. Vendor receipts indicating fuel oil percent sulfur per shipment shall be considered certifications.
    c. All emission calculations demonstrating compliance with the emission limitations set forth in Specific Condition 36 of this permit. Such records shall include all pollutant-specific emission factors (F-factors or AP-42) and all assumptions used in the calculations.
    d. All continuous opacity monitor records.
    e. All records as specified in 40 CFR 60.48c(e)(1) through (11), (f), (g), and (i) including daily records of the amounts of each fuel combusted during each day.

    These records shall be available on site for inspection by DEQ and shall be current for the most recent five years.
    (9 VAC 5-50-50 and 9 VAC 5-60-50 of State Regulations, Part II, Condition 4, PSD permit issued 12/5/96, 40 CFR 60.48c(i))

54. Unless specified otherwise by the conditions of this permit, the permittee shall comply with the recordkeeping and reporting provisions of 40 CFR 60 Subpart A for Unit Ref. Nos. 001, 002, and 004. The permittee shall maintain on-site records of all applicable provisions of 40 CFR 60 Subpart A which have been met. Such records shall be made readily available for inspection.
    (40 CFR 60.7(a) through (h), 40 CFR 60.8(a) through (f), 40 CFR 60.11(a) through (f), 40 CFR 60.12, 40 CFR 60.13(a) through (h), and 40 CFR 60.19)

D. Testing

55. The permitted facility shall be constructed so as to allow for emissions testing at any time using appropriate methods. Upon request from the Department, test ports will be provided at the appropriate locations.
    (9 VAC 5-50-30 and 9 VAC 5-80-490 E & F)

56. If testing is conducted in addition to the monitoring specified in this permit, the permittee shall use the following test methods in accordance with procedures approved by the DEQ as follows:

Pollutant	Test Method (40 CFR Part 60, Appendix A)
VOC	EPA Methods 18, 25, 25a
VOC	EPA Methods 24, 24a
NO_x	EPA Method 7
SO_2	EPA Method 6
CO	EPA Method 10
PM/PM10	EPA Methods 5, 17
Visible Emission	EPA Method 9

(9 VAC 5-80-490 E)

V. Fuel Burning Equipment Requirements - Unit Ref. Nos. 001, 002, and 004 - two (2) 400 MMBTU/hr primary coal boilers (Unit Ref. Nos. 001 & 002) and one (1) 81.58 MMBTU/hr auxiliary No. 2 oil/tall oil boiler (Unit Ref. No. 004), Combined

A. Limitations

57. Combined emissions from the primary coal boilers (Unit Ref. Nos. 001 & 002) and the auxiliary boiler (Unit Ref. No. 004) shall not exceed the limitations specified in the table below. These limits are based on the primary boilers operating 8,400 hours per year and the auxiliary boiler operating 360 hours per year.
(9 VAC 5-80-490 B & C of State Regulations and Part I, Condition 28, PSD permit issued 12/5/96)

Nitrogen Oxides (as NO_2)	1,601.5 tons/year*	9 VAC 5-50-280
Sulfur Dioxide	531.0 tons/year*	9 VAC 5-50-280
PM-10	59.8 tons/year*	9 VAC 5-50-260

Total Suspended Particulate	66.3 tons/year*	9 VAC 5-50-260
Carbon Monoxide	637.8 tons/year*	9 VAC 5-50-260
Volatile Organic Compounds	97.0 tons/year*	9 VAC 5-50-270

***** Annual emissions of NO_x, SO_2, PM-10, PM, CO, and VOC shall be calculated monthly as the sum of each consecutive 12-month period.
(9 VAC 5-50-260 of State Regulations)

58. The facility-wide annual throughput of coal shall not exceed 253,932 tons, calculated monthly as the sum of each consecutive 12-month period.
(9 VAC 5-80-490 B & C of State Regulations, Part I, Condition 17, PSD permit issued 12/5/96)

59. The facility-wide annual throughput of tall oil (by products) and No. 2 fuel oil combined shall not exceed 5,879,518 gallons, calculated monthly as the sum of each consecutive 12-month period.
(9 VAC 5-80-490 B & C of State Regulations, Part I, Condition 18, PSD permit issued 12/5/96)

60. The auxiliary boiler (Unit Ref. No. 004) and the primary coal boilers (Unit Ref. Nos. 001 & 002) shall not be operated concurrently, except during start-up and shutdown, and for no more than 12 hours over any consecutive 24-hour period and unless both primary coal boilers (Unit Ref. Nos. 001 & 002) are operating at 50 percent capacity or less.
(9 VAC 5-80-490 B & C of State Regulations, Part I, Condition 21, PSD permit issued 12/5/96)

B. Monitoring

61. Continuous emission monitors shall be installed to measure and record the concentration of opacity, SO_2 (at inlet and outlet of spray dryer), NO_x, and CO_2 or O_2 emitted from the primary coal boilers (Unit Ref. Nos. 001 & 002). They shall be maintained and calibrated in accordance with approved procedures (reference 40 CFR 60.13 and 60.47a).
(9 VAC 5-50-40 of State Regulations, Part I, Condition 47, PSD permit issued 12/5/96)

62. The continuous monitoring data generated by the SO_2 and NO_x monitors on the primary coal boilers (Unit Ref. Nos. 001 & 002) shall be used to determine compliance with the emissions standards in Specific Condition 57 of this permit. All of the data capture, quality assurance provisions, and reporting requirements of NSPS Subpart Da shall apply.
(9 VAC 5-50-40 of State Regulations, Part I, Condition 49, PSD permit issued 12/5/96)

63. For the opacity monitor on the boilers (Unit Ref. Nos. 001, 002, & 004), the continuous monitoring and quality assurance data may, at the discretion of the Board, be used as evidence of violation of the opacity standards in Specific Conditions 19 and 40 of this permit. For all other continuous monitors required by this permit, the continuous monitoring and quality assurance data may, at the discretion of the Board, be used as evidence of violation of the emission standards in Specific Condition 57 of this permit. These monitors are subject to such data capture requirements and/or quality assurance requirements as may be deemed appropriate by the Board (refer to 40 CFR 60.13 and Appendix B).
(9 VAC 5-80-490 B & C of State Regulations, Part I, Condition 50, PSD permit issued 12/5/96)

64. The permittee shall calculate combined annual emissions from the two primary boilers (Unit Ref. Nos. 001 and 002) and the auxiliary boiler (Unit Ref. No. 004) monthly as the sum of each consecutive 12-month period. The permittee shall utilize appropriate pollutant-specific emission factors (F-factors or AP-42 for the auxiliary boiler; AP-42 or stack test-derived factors for the primary boilers) and monthly coal, No. 2 fuel oil, and tall oil throughputs and/or CEMs data to demonstrate compliance with the emission limitations set forth in Specific Condition 57 of this permit.
(9 VAC 5-80-490 B & C of State Regulations)

C. Recordkeeping

65. The permittee shall maintain records of all emission data and operating parameters necessary to demonstrate compliance with this permit. These records shall include, but are not limited to:

    a. Process throughputs and annual hours of operation calculated monthly as the sum of each consecutive 12-month period.
    b. All fuel supplier certifications. Vendor receipts containing the required information pertaining to low sulfur oil shall be considered certifications for the purposes of this permit.
    c. Calculations with associated pollutant-specific emission factors (F-factors, AP-42, or stack test) indicating compliance with the limitations set forth in Specific Condition 57 of this permit.

    These records shall be available on site for inspection by DEQ and shall be current for the most recent five years.
    (9 VAC 5-50-50 of State Regulations, Part II, Condition 4, PSD permit issued 12/5/96)

D. Testing

66. If testing is conducted in addition to the monitoring specified in this permit, the permittee shall use the following test methods in accordance with procedures approved by the DEQ as follows:

Pollutant	Test Method (40 CFR Part 60, Appendix A)
VOC	EPA Methods 18, 25, 25a
VOC	EPA Methods 24, 24a
NO_x	EPA Method 7
SO_2	EPA Method 6
CO	EPA Method 10
PM/PM10	EPA Methods 5, 17
Visible Emission	EPA Method 9

(9 VAC 5-80-490 E)

VI. Fuel Burning Equipment Requirements - Unit Ref. No. 006 - one (1) 1.4 MMBTU/hr Auxiliary Diesel Generator; Unit Ref. No. 007 - one (1) 1.23 MMBTU/hr Emergency Diesel Feedwater Pump; Unit Ref. No. 008 - one (1) 0.68 MMBTU/hr Diesel Firewater Pump Engine; and Unit Ref. No. 009 - one (1) 0.49 MMBTU/hr Portable Diesel Air Compressor Engine

A. Limitations

67. Emissions from the auxiliary diesel generator (Unit Ref. No. 006) shall not exceed the limitations specified in the table below. The permittee shall calculate annual NO_x emissions monthly as the sum of each consecutive 12-month period using monthly hours of operation and pollutant-specific AP-42 emission factors (F-factors or AP-42) or other appropriate unit-specific factor (manufacturer specifications). In lieu of such calculations, the permittee may elect to make a one-time demonstration of the correlation between hours of operation of the unit and annual emissions. In such case, compliance with the annual hours of operation limitations for Unit Ref. No. 006 shall be deemed sufficient to demonstrate compliance with the annual NO_x limitation set forth in the table below. The permittee shall make a one-time demonstration of maximum hourly NO_x emissions from the auxiliary diesel generator using manufacturer specifications for maximum heat input (or power output) and appropriate AP-42 emission factors or manufacturer test data. The permittee shall maintain a record of this one-time demonstration of maximum hourly NO_x emissions on-site for the life of the unit.

Nitrogen Oxides (as $NO_{2)}$	6.2 lbs/hour	1.0 tons/year*	9 VAC 5-50-280

*Annual emissions of NO_x shall be calculated monthly as the sum of each consecutive 12-month period.
(9 VAC 5-80-490 B & C of State Regulations and Part I, Condition 30, PSD permit issued 12/5/96)

68. The portable auxiliary diesel generator (Unit Ref. No. 006) shall not operate more than 336 hours per year calculated monthly as the sum of each consecutive 12-month period.
(9 VAC 5-80-490 B & C of State Regulations, Part I, Condition 25, PSD permit issued 12/5/96)

69. The emergency boiler feedwater pump (Unit Ref. No. 007) shall not operate more than 116 hours per year calculated monthly as the sum of each consecutive 12-month period.
(9 VAC 5-80-490 B & C of State Regulations, Part I, Condition 22, PSD permit issued 12/5/96)

70. The firewater pump (Unit Ref. No. 008) shall not operate more than 116 hours per year, calculated monthly as the sum of each consecutive 12-month period.
(9 VAC 5-80-490 B & C of State Regulations, Part I, Condition 23, PSD permit issued 12/5/96)

71. The portable air compressor (Unit Ref. No. 009) shall not operate more than 220 hours per year, calculated monthly as the sum of each consecutive 12-month period.
(9 VAC 5-80-490 B & C of State Regulations, Part I, Condition 24, PSD permit issued 12/5/96)

72. Visible emissions from the portable auxiliary diesel generator (Unit Ref. No. 006) shall not exceed ten (10) percent opacity as determined by EPA Method 9 (reference 40 CFR 60, Appendix A) except during one six-minute period in any one hour in which visible emissions shall not exceed twenty (20) percent opacity. This condition applies at all times except during start-up, shutdown, or malfunction. Any Method 9 testing shall be performed at the request of DEQ.
(9 VAC 5-80-490 B & C and 9 VAC 5-50-20 of State Regulations, Part I, Condition 32, PSD permit issued 12/5/96)

73. The approved fuel for the emergency boiler feedwater pump (Unit Ref. No. 007), the firewater pump (Unit Ref. No. 008), the portable air compressor (Unit Ref. No. 009), and the portable auxiliary diesel generator (Unit Ref. No. 006) is distillate oil. Distillate oil is defined as fuel oil that meets the specifications for fuel oil numbers 1 or 2 of the American Society for Testing and Materials. A change in the fuel may require a permit to modify and operate.
(9 VAC 5-80-490 B & C of State Regulations, Part I, Condition 45, PSD permit issued

12/5/96)

74. The maximum sulfur content of the oil to be burned in the emergency boiler feedwater pump (Unit Ref. No. 007), the firewater pump (Unit Ref. No. 008), the portable air compressor (Unit Ref. No. 009), and the portable auxiliary diesel generator (Unit Ref. No. 006) shall not exceed 0.3 percent by weight per shipment. The permittee shall obtain a certification from the fuel supplier with each shipment of distillate oil. Each fuel supplier certification shall include the following:
    a. The name of the fuel supplier,
    b. The date on which the fuel was received,
    c. The volume of distillate oil delivered in the shipment,
    d. A statement that the oil complies with the American Society for Testing and Materials specifications for fuel oil numbers 1 or 2, and
    e. A statement that the sulfur content of the oil is less than or equal to 0.3 percent by weight per shipment.

    (9 VAC 5-80-490 B & C and 9 VAC 5-50-410 of State Regulations, Part I, Condition 46, PSD permit issued 12/5/96)

B. Testing

75. Visible emissions from the stack of the portable auxiliary diesel generator (Unit Ref. No. 006) shall not exceed ten (10) percent opacity as determined by EPA Reference Method 9 (reference 40 CFR 60, Appendix A). In lieu of Method 9, opacity shall be demonstrated by monthly visible emissions evaluations of the diesel generator stack outlet. An evaluation consisting of no visible emissions shall indicate compliance with opacity standard. The permittee shall log each evaluation in a logbook to be maintained on-site for the most recent 5 years.
    (9 VAC 5-50-20 of State Regulations)

76. If testing is conducted in addition to the monitoring specified in this permit, the permittee shall use the following test methods in accordance with procedures approved by the DEQ as follows:

Pollutant	Test Method (40 CFR Part 60, Appendix A)
VOC	EPA Methods 18, 25, 25a
VOC	EPA Methods 24, 24a
NO_x	EPA Method 7
SO_2	EPA Method 6
CO	EPA Method 10
PM/PM10	EPA Methods 5, 17
Visible Emission	EPA Method 9

(9 VAC 5-80-490 E)

C. Recordkeeping

77. The permittee shall maintain records of all emission data and operating parameters necessary to demonstrate compliance with this permit. These records shall include, but are not limited to:
    a. Annual hours of operation for each of the units (Unit Ref. Nos. 006, 007, 008, and 009), calculated monthly as the sum of each consecutive 12-month period.
    b. All fuel supplier certifications. Vendor receipts containing the required information pertaining to low sulfur oil shall be considered certifications for the purposes of this permit.
    c. A one-time calculation of maximum hourly NO_x emissions from the portable auxiliary diesel generator (Unit Ref. No. 006) to be maintained on-site and readily accessible for inspection for the life of the unit.
    d. Calculations of annual NO_x emissions from the portable auxiliary diesel generator (Unit Ref. No. 006) calculated monthly as the sum of each consecutive 12-month period. In lieu of monthly calculations, the permittee may elect to maintain records of a one-time demonstration of maximum annual emissions based on maximum annual operating hours. Such records shall be maintained on-site and readily accessible for inspection for the life of the unit.
    e. Any visible emissions observations/evaluations.

    These records shall be available on site for inspection by DEQ and shall be current for the most recent five years.
    (9 VAC 5-50-50 and 9 VAC 5-60-50 of State Regulations, Part II, Condition 4, PSD permit issued 12/5/96)

VII. Process Unit Requirements - Unit Ref. Nos. 010a-i, and 011-017 - Coal, Ash and Lime Handling System, and Unit Ref. No. 018 - Fuel Oil Storage Tank, 42,000 gallon capacity

A. Limitations

78. Emissions from the operation of Unit Ref. Nos. 010a-i and 011-017 shall not exceed the limits specified below:

PM-10	0.20 lbs/hour*	0.50 tons/year*	9 VAC 5-50-260
Total Suspended Particulate	0.27 lbs/hour*	0.62 tons/year*	9 VAC 5-50-260

*These emission limitations are included for inventory purposes only. Compliance with these limitations shall be demonstrated through compliance with Specific Conditions 79 through 92.
(9 VAC 5-80-490 B & C and Part I, Condition 29, PSD permit issued 12/5/96)

79. Particulate emissions from the coal feed silos, lime storage silo, recycle bin, discharge storage silo, flyash silo, and bottom ash silo (Unit Ref. Nos. 010a-i, 011-017) shall be controlled by bag filters. The bag filters shall be provided with adequate access for inspection.
(9 VAC 5-80-490 B & C of State Regulations, Part I, Condition 6, PSD permit issued 12/5/96)

80. Fugitive dust emissions from coal unloading, feeding, and conveying (Unit Ref. Nos. 010a, 010c & 010d) shall be controlled by wet suppression with surfactant as necessary.
(9 VAC 5-50-90 of State Regulations, Part I, Condition 9, PSD permit issued 12/5/96)

81. Lime slaker emissions shall be controlled by a Portec dust suppression aspirator and water jet spray system (venturi scrubber). The aspirator vapor discharge shall be piped directly to the slurry tank for complete enclosure of all dust particles produced during the slaking process. The control system shall be provided with adequate access for inspection.
(9 VAC 5-80-490 B & C of State Regulations, Part I, Condition 10, PSD permit issued 12/5/96)

82. Fugitive dust emissions from coal crushing shall be controlled by enclosing the crusher (Unit Ref. No. 010d) and locating within an enclosed building.
(9 VAC 5-50-90 of State Regulations, Part I, Condition 11, PSD permit issued 12/5/96)

83. Fugitive dust emissions from front end loading to the reclaim hopper (Unit Ref. No. 010c) shall be controlled by wet suppression with surfactant as necessary.
(9 VAC 5-50-90 of State Regulations, Part I, Condition 12, PSD permit issued 12/5/96)

84. Fugitive dust emissions from the coal feed silos (Unit Ref. Nos. 010e, f, g, & h) to the primary boiler feed hopper shall be controlled by enclosed belt feed conveyors.
(9 VAC 5-50-90 of State Regulations, Part I, Condition 13, PSD permit issued 12/5/96)

85. The discharge from the ash and flue gas desulfurization product storage silo (Unit Ref. No. 016) shall be mixed with water to minimize fugitive dust emissions as necessary.
(9 VAC 5-50-90 of State Regulations, Part I, Condition 14, PSD permit issued 12/5/96)

86. Coal stockpiles (Unit Ref. Nos. 010b & 010i) shall be moist or treated (wet suppression and surfactant) as necessary to minimize emissions during storage and handling.
(9 VAC 5-50-90 of State Regulations, Part I, Condition 15, PSD permit issued 12/5/96)

87. Fugitive emissions from facility access roads shall be controlled by paving.
(9 VAC 5-80-490 B & C of State Regulations, Part I, Condition 16, PSD permit issued 12/5/96)

88. Visible emissions from any fabric filter vent or exhaust duct shall not exceed five (5) percent opacity as determined by EPA Method 9 (reference 40 CFR 60, Appendix A). Any EPA Method 9 testing shall be performed at the request of DEQ.
(9 VAC 5-80-490 B & C and 9 VAC 5-50-20 of State Regulations, Part I, Condition 33, PSD permit issued 12/5/96, 40 CFR 60.252(c))

89. The permittee is authorized to store No. 2 fuel oil in the storage tank (Unit Ref. No. 018). A change in the materials stored may require a permit to modify and operate.
(9 VAC 5-80-10 of State Regulations, Part I, Condition 43, PSD permit issued 12/5/96, 40 CFR 60.110b(a))

B. Testing

90. The Performance Test for Coal Handling and Processing Equipment dated December 23, 1997, and submitted to DEQ on December 29, 1997, completes the requirement for opacity testing of Unit Ref. Nos. 010a through h as required by 40 CFR 60 Subpart Y (reference 40 CFR 60.254). The results of this performance test indicated 0% (zero percent) opacity for all affected units as determined by EPA Method 9. Therefore, the permittee shall be considered in compliance with the testing requirements of 40 CFR 60.254 and with the opacity and particulate matter requirements of 40 CFR 60.252(c). The permittee shall maintain a record of this performance test on-site and available for inspection for the life of the affected units.
(40 CFR 60.252(c) and 40 CFR 60.254(b)(2))

C. Recordkeeping

91. The permittee shall maintain records of all emission data and operating parameters necessary to demonstrate compliance with this permit. These records shall include, but are not limited to:

    a. Process throughputs and annual hours of operation calculated monthly as the sum of each consecutive 12-month period.
    b. All fuel supplier certifications.
    c. Opacity performance test utilizing EPA Method 9 for all coal processing and conveying equipment, coal storage systems, and coal transfer and loading systems. Records of this test, submitted to DEQ on December 29, 1997, shall be maintained on-site for the life of the affected units.

    These records shall be available on site for inspection by DEQ and shall be current for the most recent five years.
    (9 VAC 5-50-50 and 9 VAC 5-60-50 of State Regulations, Part II, Condition 4, PSD permit issued 12/5/96)

92. The permittee shall keep readily accessible records showing the dimensions of the fuel oil storage tank and an analysis showing the capacity of the storage tank. These records shall be kept for the life of the storage tank.
    (9 VAC 5-50-20 of State Regulations, Part I, Condition 44, PSD permit issued 12/5/96)

VIII. Fuel Burning Equipment Requirements – Hazardous Air Pollutants (HAPs) - Unit Ref. Nos. 001 and 002, two (2) 400 MMBTU/hr primary coal boilers

A. Limitations

93. Hazardous Air Pollutant (HAP) emissions from the operation of each primary boiler (Unit Ref. Nos. 001 & 002) shall not exceed the limitations specified in the table below, calculated daily as the sum of each 24-hour period, inclusive, ending at midnight of each calendar day. The permittee shall demonstrate compliance with the HAP limitations specified in the table below through the use of appropriate AP-42 emission factors and daily coal throughput for each unit and maintain a record of such demonstration on site for inspection by DEQ personnel.

Mercury	0.1 lbs/day	9 VAC 5-50-320
Beryllium	0.03 lbs/day	9 VAC 5-50-320
Arsenic	1.1 lbs/day	9 VAC 5-50-320

Cadmium	0.1 lbs/day	9 VAC 5-50-320
Chromium	4.9 lbs/day	9 VAC 5-50-320
Copper	2.4 lbs/day	9 VAC 5-50-320
Fluorides	9.7 lbs/day	9 VAC 5-50-320
Formaldehyde	1.6 lbs/day	9 VAC 5-50-320
Manganese	3.9 lbs/day	9 VAC 5-50-320
Nickel	3.7 lbs/day	9 VAC 5-50-320
Sulfuric Acid Mist	149.2 lbs/day	9 VAC 5-50-320
Vanadium	0.7 lbs/day	9 VAC 5-50-320

(9 VAC 5-50-320 of State Regulations, Part I, Condition 26, PSD permit issued 12/5/96)

94. The facility-wide annual throughput of coal shall not exceed 253,932 tons, calculated monthly as the sum of each consecutive 12-month period.
(9 VAC 5-80-490 B & C of State Regulations, Part I, Condition 17, PSD permit issued 12/5/96)

95. The facility-wide annual throughput of tall oil (by products) and No. 2 fuel oil combined shall not exceed 5,879,518 gallons, calculated monthly as the sum of each consecutive 12-month period.
(9 VAC 5-80-490 B & C of State Regulations, Part I, Condition 18, PSD permit issued 12/5/96)

96. Each primary coal boiler (Unit Ref. Nos. 001 & 002) shall not operate more than 8,400 hours per year calculated monthly as the sum of each consecutive 12-month period.
(9 VAC 5-80-490 B & C of State Regulations, Part I, Condition 19, PSD permit issued 12/5/96)

97. The primary coal boilers (Unit Ref. Nos. 001 & 002) shall be operated at a heat input rate not to exceed the rate at which compliance with the emission limits for particulates, sulfur dioxide, nitrogen oxides, volatile organic compounds, beryllium, and fluorides (Specific Conditions 2 and 93 of this permit) has been demonstrated by stack emission tests.
(9 VAC 5-80-490 B & C of State Regulations, Part I, Condition 20, PSD permit issued 12/5/96)

98. The auxiliary boiler (Unit Ref. No. 004) and the primary coal boilers (Unit Ref. Nos. 001 & 002) shall not be operated concurrently, except during start-up and shutdown, and for no more than 12 hours over any consecutive 24-hour period and unless both primary coal boilers (Unit Ref. Nos. 001 & 002) are operating at 50 percent capacity or less.
(9 VAC 5-80-490 B & C of State Regulations, Part I, Condition 21, PSD permit issued

12/5/96)

B. Recordkeeping

99. The permittee shall maintain records of all emission data and operating parameters necessary to demonstrate compliance with this permit. These records shall include, but are not limited to:

a. Daily coal throughputs calculated as the sum of each 24-hour period inclusive ending at midnight of each calendar day.

b. All fuel supplier certifications.

c. All calculations demonstrating compliance with the limitations set forth in Specific Condition 93 of this permit including but not limited to all pollutant-specific emission factors (F-factors or AP-42), throughputs, and other assumptions used in the calculations.

These records shall be available on site for inspection by DEQ and shall be current for the most recent five years.
(9 VAC 5-50-50 and 9 VAC 5-60-50 of State Regulations, Part II, Condition 4, PSD permit issued 12/5/96)

IX. Facility Wide Conditions

A. Limitations

100. Except as specified in this permit, the facility is to be operated in compliance with Federal emissions requirements under 40 CFR 60, Subparts Da, Dc, Y, and Kb (Sections 60.116 b (a) and (b)). Unless otherwise specified in this permit, emissions shall not exceed the limitations specified in the table below. Compliance with the emission limitations below shall be determined as specified in Sections III through VIII of this permit.
(9 VAC 5-80-490 B & C and Part I, Condition 53, PSD permit issued 12/5/96)

Unit ID	PM10		NO_x		SO_2		CO		VOC	
	Lb/hr	ton/yr	lb/hr	ton/yr	lb/hr	ton/yr	lb/hr	ton/yr	lb/hr	ton/yr
001	6.8	29	189.5	796	61.3	257	76.0	318	11.4	48
001	0.018 lb/10^6 Btu		0.43/0.50 lb/10^6 Btu		0.162 lb/10^6 Btu		0.20 lb/10^6 Btu		0.030 lb/10^6 Btu	
002	6.8	29	189.5	796	61.3	257	76.0	318	11.4	48

002	0.018 lb/10^6 Btu		0.43/0.50 lb/10^6 Btu		0.162 lb/10^6 Btu		0.20 lb/10^6 Btu		0.030 lb/10^6 Btu	
004	2.4	-	8.2	-	25.3	-	6.7	-	3.3	-
004	0.03 lb/10^6 Btu		0.1 lb/10^6 Btu		0.31 lb/10^6 Btu		0.082 lb/10^6 Btu		0.041 lb/10^6 Btu	
004	9.8	-	53.0	-	94.3	-	9.8	-	5.7	-
004	0.12 lb/10^6 Btu		0.65 lb/10^6 Btu		1.16 lb/10^6 Btu		0.12 lb/10^6 Btu		0.07 lb/10^6 Btu	
001,002,004	-	59.8	-	1601.5	-	531	-	637.8	-	97
006	-	-	6.2	1.0	-	-	-	-	-	-
010a-i, 011-017	0.20	0.50	-	-	-	-	-	-	-	-
018	-	-	-	-	-	-	-	-	-	-

X. Insignificant Emission Units

The following emission units at the facility are identified in the application as insignificant emission units under 9 VAC 5-80-720:

Emission Unit No.	Emission Unit Description	Citation (9 VAC_)	Pollutant Emitted (5-80-720 B.)	Rated Capacity (5-80-720 C.)
ISU-1	Turbine Lube Oil Reservoir	5-80-720 B.1.	VOC	NA

Emission Unit No.	Emission Unit Description	Citation (9 VAC_)	Pollutant Emitted (5-80-720 B.)	Rated Capacity (5-80-720 C.)
ISU-2	Solvent Based Parts Washer	5-80-720 B.1.	VOC	NA
ISU-3	Used Oil Tank	5-80-720 C.2.a.	VOC	500 gallons
ISU-4	Oil/Water Separator (Oil Sump)	5-80-720 C.2.a.	VOC	280 gallons

XI. Permit Shield & Inapplicable Requirements

Compliance with the provisions of this permit shall be deemed compliance with all applicable requirements in effect as of the permit issuance date as identified in this permit. This permit shield covers only those applicable requirements covered by terms and conditions in this permit and the following requirements which have been specifically identified as being not applicable to this permitted facility:

Citation	Title of Citation	Description of Non-Applicability
40 CFR 60 Subpart D	Standards of Performance for Fossil-Fuel-Fired Steam Generators for Which Construction is Commenced After August 17, 1971	
40 CFR 60 Subpart Db	Standards of Performance for Industrial-Commercial-Institutional Steam Generating Units Standards of Performance for Storage Vessels for	No emissions sources at this facility are subject to these

40 CFR 60 Subpart K	Petroleum Liquids for Which Construction, Reconstruction, or Modification Commenced After June 11, 1973, and prior to May 19, 1978	NSPS requirements.
40 CFR 60 Subpart Ka	Standards of Performance for Storage Vessels for Petroleum Liquids for Which Construction, Reconstruction, or Modification Commenced After May 18, 1978, and prior to July 23, 1984	
40 CFR 60 Subpart Kb	Standards of Performance for Volatile Organic Liquid Storage Vessels (Including Petroleum Liquid Storage Vessels) for Which Construction, Reconstruction, or Modification Commenced After July 23, 1984	

Nothing in this permit shield shall alter the provisions of §303 of the federal Clean Air Act, including the authority of the administrator under that section, the liability of the owner for any violation of applicable requirements prior to or at the time of permit issuance, or the ability to obtain information by the administrator pursuant to §114 of the federal Clean Air Act, (ii) the Board pursuant to §10.1-1314 or §10.1-1315 of the Virginia Air Pollution Control Law or (iii) the Department pursuant to §10.1-1307.3 of the Virginia Air Pollution Control Law.
(9 VAC 5-80-500)

XII. General Conditions

A. Federal Enforceability

All terms and conditions in this permit are enforceable by the administrator and citizens under the federal Clean Air Act, except those that have been designated as only state-enforceable.
(9 VAC 5-80-490 N)

B. Permit Expiration

1. This permit has a fixed term of five years. The expiration date shall be the date five years from the effective date of the permit. Unless the owner submits a timely and complete renewal application to DEQ consistent with 9 VAC 5-80-430, the right of the facility to operate shall terminate upon permit expiration.

2. The owner shall submit an application for renewal at least six months but no earlier than eighteen months prior to the date of permit expiration.

3. If an applicant submits a timely and complete application for an initial permit or renewal under this section, the failure of the source to have a permit or the operation of the source without a permit shall not be a violation of Article 3, Part II of 9 VAC 5 Chapter 80, until the Board takes final action on the application under 9 VAC 5-80-510.

4. No source shall operate after the time that it is required to submit a timely and complete application under subsections C and D of 9 VAC 5-80-430 for a renewal permit, except in compliance with a permit issued under Article 3, Part II of 9 VAC 5 Chapter 80.

5. If an applicant submits a timely and complete application under section 9 VAC 5-80-430 for a permit renewal but the Board fails to issue or deny the renewal permit before the end of the term of the previous permit, (i) the previous permit shall not expire until the renewal permit has been issued or denied and (ii) all the terms and conditions of the previous permit, including any permit shield granted pursuant to 9 VAC 5-80-500 , shall remain in effect from the date the application is determined to be complete until the renewal permit is issued or denied.

6. The protection under subsections F 1 and F 5 (ii) of section 9 VAC 5-80-430 shall cease to apply if, subsequent to the completeness determination made pursuant section 9 VAC 5-80-430 D, the applicant fails to submit by the deadline specified in writing by the Board any additional information identified as being needed to process the application.
(9 VAC 5-80-430 B, C and F, 9 VAC 5-80-490 D and
9 VAC 5-80-530 B)

C. Recordkeeping and Reporting

1. All records of monitoring information maintained to demonstrate compliance with the

terms and conditions of this permit shall contain, where applicable, the following:

a. The date, place as defined in the permit, and time of sampling or measurements.
b. The date(s) analyses were performed.
c. The company or entity that performed the analyses.
d. The analytical techniques or methods used.
e. The results of such analyses.
f. The operating conditions existing at the time of sampling or measurement.
(9 VAC 5-80-490 F)

2. Records of all monitoring data and support information shall be retained for at least five years from the date of the monitoring sample, measurement, report, or application. Support information includes all calibration and maintenance records and all original strip-chart recordings for continuous monitoring instrumentation, and copies of all reports required by the permit.
(9 VAC 5-80-490 F)

3. The permittee shall submit the results of monitoring contained in any applicable requirement to DEQ no later than **March 1** and **September 1** of each calendar year. This report must be signed by a responsible official, consistent with 9 VAC 5-80-430 G and shall include:

   a. The time period included in the report. The time periods to be addressed are January 1 to June 30 inclusive and July 1 to December 31 inclusive.

   b. All deviations from permit requirements. For purposes of this permit, a "deviations" include, but are not limited to:

      - Exceedance of emissions limitations or operational restrictions,
      - Excursions from control device operating parameter requirements, as documented by continuous emission monitoring, periodic monitoring, or compliance assurance monitoring which indicates an exceedance of emission limitations or operational restrictions; or,
      - Failure to meet monitoring, recordkeeping, or reporting requirements contained in this permit.

   c. If there were no deviations from permit conditions during the time period, the permittee shall include a statement in the report that "no deviations from permit requirements occurred during this semi-annual reporting period."
   (9 VAC 5-80-490 F)

D. Annual Compliance Certification

Exclusive of any reporting required to assure compliance with the terms and conditions of this permit or as part of a schedule of compliance contained in this permit, the permittee shall submit to EPA and DEQ no later than **March 1** each calendar year a certification of compliance with all terms and conditions of this permit including emission limitation standards or work practices. The compliance certification shall comply with such additional requirements that may be specified pursuant to §114(a)(3) and §504(b) of the federal Clean Air Act. This certification shall be signed by a responsible official, consistent with VAC 5-80-430 G, and shall include:

1. The time period included in the certification. The time period to be addressed is January 1 to December 31.

2. A description of the means for assessing or monitoring the compliance of the source with its emissions limitations, standards, and work practices.

3. The identification of each term or condition of the permit that is the basis of the certification.

4. Consistent with subsection 9 VAC 5-80-490 E, the method or methods used for determining the compliance status of the source at the time of certification and over the certification period.

5. Whether compliance was continuous or intermittent, and if not continuous, documentation of each incident of non-compliance.

6. The status of compliance with the terms and conditions of this permit for the certification period.

7. Such other facts as the permit may require to determine the compliance status of the source.

One copy of the annual compliance certification shall be sent to EPA at the following address:

Clean Air Act Title V Compliance Certification (3AP00)
U.S. Environmental Protection Agency, Region III
1650 Arch Street
Philadelphia, PA 19103-2029.

(9 VAC 5-80-490 K.5)

E. Permit Deviation Reporting

The permittee shall notify the Director, Tidewater Region within four daytime business hours, after discovery of any deviations from permit requirements which may cause excess emissions for more than one hour, including those attributable to upset conditions as may be defined in this permit. In addition, within 14 days of the discovery, the permittee shall provide a written statement explaining the problem, any corrective actions or preventative measures taken, and the estimated duration of the permit deviation. Owners subject to the requirements of 9 VAC 5-40-50 C and 9 VAC 5-50-50 C are not required to provide the written statement prescribed in this paragraph for facilities subject to the monitoring requirements of 9 VAC 5-40-40 and 9 VAC 5-50-40. The occurrence should also be reported in the next semi-annual compliance monitoring report pursuant to General Condition XII.C.3.of this permit.
(9 VAC 5-80-490 F.2)

F. Failure/Malfunction Reporting

In the event that any affected facility or related air pollution control equipment fails or malfunctions in such a manner that may cause excess emissions for more than one hour, the owner shall, as soon as practicable but no later than four daytime business hours after discovery, notify the Director, Tidewater Region by facsimile transmission, telephone or telegraph of such failure or malfunction and shall within 14-days provide a written statement giving all pertinent facts, including the estimated duration of the breakdown. When the condition causing the failure or malfunction has been corrected and the equipment is again in operation, the owner shall notify the Director, Tidewater Region.
(9 VAC 5-20-180 C)

G. Severability

The terms of this permit are severable. If any condition, requirement or portion of the permit is held invalid or inapplicable under any circumstance, such invalidity or inapplicability shall not affect or impair the remaining conditions, requirements, or portions of the permit.
(9 VAC 5-80-490 G.1)

H. Duty to Comply

The permittee shall comply with all terms and conditions of this permit. Any permit noncompliance constitutes a violation of the federal Clean Air Act or the Virginia Air Pollution Control Law or both and is grounds for enforcement action; for permit termination, revocation and re-issuance, or modification; or for denial of a permit renewal application.
(9 VAC 5-80-490 G.2)

I. Need to Halt or Reduce Activity not a Defense

It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.
(9 VAC 5-80-490 G.3)

J. Permit Modification

A physical change in, or change in the method of operation of, this stationary source may be subject to permitting under State Regulations 9 VAC 5-80-50, 9 VAC 5-80-1100, 9 VAC 5-80-1790, or 9 VAC 5-80-2000 and may require a permit modification and/or revisions except as may be authorized in any approved alternative operating scenarios.
(9 VAC 5-80-490 G and L)(9 VAC 5-80-550 and 9 VAC 5-80-660)

K. Property Rights

The permit does not convey any property rights of any sort, or any exclusive privilege.
(9 VAC 5-80-490 G.5)

L. Duty to Submit Information

1. The permittee shall furnish to the board, within a reasonable time, any information that the board may request in writing to determine whether cause exists for modifying, revoking and reissuing, or terminating the permit or to determine compliance with the permit. Upon request, the permittee shall also furnish to the board copies of records required to be kept by the permit and, for information claimed to be confidential, the permittee shall furnish such records to the board along with a claim of confidentiality.
(9 VAC 5-80-490 G.6)

2. Any document (including reports) required in a permit condition to be submitted to the board shall contain a certification by a responsible official that meets the requirements of 9 VAC 5-80-430 G.9.
(9 VAC 5-80-490 K.1)

M. Duty to Pay Permit Fees

The owner of any source for which a permit under 9 VAC 5-80-360 through 9 VAC 5-80-700 was issued shall pay permit fees consistent with the requirements of 9 VAC 5-80-310 et seq. The actual emissions covered by the permit program fees for the preceding year shall be calculated by the owner and submitted to the Department by April 15 of each year. The calculations and final amount of emissions are subject to verification and final determination by the Department.
(9 VAC 5-80-490 H)

N. Fugitive Dust Emission Standards

During the operation of a stationary source or any other building, structure, facility or installation, no owner or other person shall cause or permit any materials or property to be handled, transported, stored, used, constructed, altered, repaired, or demolished without taking reasonable precautions to prevent particulate matter from becoming airborne. Such reasonable precautions may include, but are not limited, to the following:

1. Use, where possible, of water or chemicals for control of dust in the demolition of existing buildings or structures, construction operations, the grading of roads, or the clearing of land;

2. Application of asphalt, water, or suitable chemicals on dirt roads, materials stockpiles, and other surfaces which may create airborne dust; the paving of roadways and the maintaining of them in a clean condition;

3. Installation and use of hoods, fans, and fabric filters to enclose and vent the handling of dusty material. Adequate containment methods shall be employed during sandblasting or other similar operations;

4. Open equipment for conveying or transporting material likely to create objectionable air pollution when airborne shall be covered or treated in an equally effective manner at all times when in motion; and

5. The prompt removal of spilled or traced dirt or other materials from paved streets and of dried sediments resulting from soil erosion.

(9 VAC 5-40-20 E, 9 VAC 5-50-90, and 9 VAC 5-50-50)

O. Startup, Shutdown, and Malfunction

At all times, including periods of startup, shutdown, soot blowing, and malfunction, owners shall, to the extent practicable, maintain and operate any affected facility including associated air pollution control equipment in a manner consistent with air pollution control practices for minimizing emissions. Determination of whether acceptable operating and maintenance procedures are being used will be based on information available to the board, which may include, but is not limited to, monitoring results, opacity observations, review of operating and maintenance procedures, and inspection of the source.
(9 VAC 5-40-20 E, and 9 VAC 5-50-20 E)

P. Alternative Operating Scenarios

Contemporaneously with making a change between reasonably anticipated operating scenarios identified in this permit, the permittee shall record in a log at the permitted facility a record of the scenario under which it is operating. The permit shield described in 9 VAC 5-80-500 shall extend to all terms and conditions under each such operating scenario. The terms and conditions of each such alternative scenario shall meet all applicable requirements including the requirements of 9 VAC 5 Chapter 80 Article 3. (9 VAC 5-80-490 J)

Q. Inspection and Entry Requirements

The permittee shall allow DEQ, upon presentation of credentials and other documents as may be required by law, to perform the following:

1. Enter upon the premises where the source is located or emissions-related activity is conducted, or where records must be kept under the terms and conditions of the permit.

2. Have access to and copy, at reasonable times, any records that must be kept under the terms and conditions of the permit.

3. Inspect at reasonable times any facilities, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under the permit.

4. Sample or monitor at reasonable times substances or parameters for the purpose of assuring compliance with the permit or applicable requirements.

(9 VAC 5-80-490 K.2)

R. Reopening For Cause

The permit shall be reopened by the board if additional federal requirements become applicable to a major source with a remaining permit term of three or more years. Such a reopening shall be completed not later than 18 months after promulgation of the applicable requirement. No such reopening is required if the effective date of the requirement is later than the date on which the permit is due to expire, unless the original permit or any of its terms and conditions has been extended pursuant to 9 VAC 5-80-430 F.

1. The permit shall be reopened if the board or the administrator determines that the permit contains a material mistake or that inaccurate statements were made in establishing the emissions standards or other terms or conditions of the permit.

2. The permit shall be reopened if the administrator or the board determines that the permit must be revised or revoked to assure compliance with the applicable requirements.

3. The permit shall not be reopened by the board if additional applicable state requirements become applicable to a major source prior to the expiration date established under 9 VAC 5-80-490 D.

(9 VAC 5-80-490 L)

S. Permit Availability

Within five days after receipt of the issued permit, the permittee shall maintain the permit on the premises for which the permit has been issued and shall make the permit immediately available to DEQ upon request.
(9 VAC 5-80-510 G)

T. Transfer of Permits

1. No person shall transfer a permit from one location to another or from one piece of equipment to another.
(9 VAC 5-80-520)

2. In the case of a transfer of ownership of a stationary source, the new owner shall comply with any current permit issued to the previous owner. The new owner shall notify the board of the change in ownership within 30 days of the transfer and shall comply with the requirements of 9 VAC 5-80-560.
(9 VAC 5-80-520)

3. In the case of a name change of a stationary source, the owner shall comply with any current permit issued under the previous source name. The owner shall notify the board of the change in source name within 30 days of the name change and shall comply with the requirements of 9 VAC 5-80-560.
(9 VAC 5-80-520)

U. Malfunction as an Affirmative Defense

1. A malfunction constitutes an affirmative defense to an action brought for noncompliance with technology-based emission limitations if the requirements of paragraph 2 of this condition are met.

2. The affirmative defense of malfunction shall be demonstrated by the permittee through properly signed, contemporaneous operating logs, or other relevant evidence that show the following:

   a. A malfunction occurred and the permittee can identify the cause or causes of the malfunction.

b. The permitted facility was at the time being properly operated.

c. During the period of the malfunction the permittee took all reasonable steps to minimize levels of emissions that exceeded the emission standards, or other requirements in the permit.

d. The permittee notified the board of the malfunction within two working days following the time when the emission limitations were exceeded due to the malfunction. This notification shall include a description of the malfunction, any steps taken to mitigate emissions, and corrective actions taken. The notification may be delivered either orally or in writing. The notification may be delivered by electronic mail, facsimile transmission, telephone, or any other method that allows the permittee to comply with the deadline. This notification fulfills the requirements of 9 VAC 5-80-490 F.2.b to report promptly deviations from permit requirements. This notification does not release the permittee from the malfunction reporting requirement under 9 VAC 5-20-180 C.

3. In any enforcement proceeding, the permittee seeking to establish the occurrence of a malfunction shall have the burden of proof. The provisions of this section are in addition to any malfunction, emergency or upset provision contained in any requirement applicable to the source.

4. The provisions of this section are in addition to any malfunction, emergency or upset provision contained in any applicable requirement.

(9 VAC 5-80-650)

V. Permit Revocation or Termination for Cause

A permit may be revoked or terminated prior to its expiration date if the owner knowingly makes material misstatements in the permit application or any amendments thereto or if the permittee violates, fails, neglects or refuses to comply with the terms or conditions of the permit, any applicable requirements, or the applicable provisions of 9 VAC 5 Chapter 80 Article 3. The Board may suspend, under such conditions and for such period of time as the Board may prescribe any permit for any of the grounds for revocation or termination or for any other violations of these regulations.
(9 VAC 5-80-490 G & L, 9 VAC 5-80-640 and 9 VAC 5-80-660)

W. Duty to Supplement or Correct Application

Any applicant who fails to submit any relevant facts or who has submitted incorrect information in a permit application shall, upon becoming aware of such failure or incorrect submittal, promptly submits such supplementary facts or corrections. An applicant shall also provide additional information as necessary to address any requirements that become applicable to the source after the date a complete application was filed but prior to release of a draft permit.
(9 VAC 5-80-430 E)

X. Stratospheric Ozone Protection

If the permittee handles or emits one or more Class I or II substance subject to a standard promulgated under or established by Title VI (Stratospheric Ozone Protection) of the federal Clean Air Act, the permittee shall comply with all applicable sections of 40 CFR Part 82, Subparts A to F.
(40 CFR Part 82, Subparts A - F)

Y. Asbestos Requirements

The permittee shall comply with the requirements of National Emissions Standards for Hazardous Air Pollutants (40 CFR 61) Subpart M, National Emission Standards for Asbestos as it applies to the following: Standards for Demolition and Renovation (40 CFR 61.145), Standards for Insulating Materials (40 CFR 61.148), and Standards for Waste Disposal (40 CFR 61.150).
(9 VAC 5-60-70 and 9 VAC 5-80-490 A)

Z. Accidental Release Prevention

If the permittee has more, or will have more than a threshold quantity of a regulated substance in a process, as determined under 40 CFR 68.115, the permittee shall comply with the requirements of 40 CFR Part 68.
(40 CFR Part 68)

AA. Changes to Permits for Emissions Trading

No permit revision shall be required, under any federally approved economic incentives, marketable permits, emissions trading and other similar programs or processes for changes that are provided for in this permit.
(9 VAC 5-80-490 I)

BB. Emissions Trading

Where the trading of emissions increases and decreases within the permitted facility is to occur within the context of this permit and to the extent that the regulations provide for trading such increases and decreases without a case-by-case approval of each emissions trade:

1. All terms and conditions required under 9 VAC 5-80-490 except subsection N shall be included to determine compliance.

2. The permit shield described in 9 VAC 5-80-500 shall extend to all terms and conditions that allow such increases and decreases in emissions.

3. The owner shall meet all applicable requirements including the requirements of 9 VAC 5-80-360 through 9 VAC 5-80-700.

(9 VAC 5-80-490 I)

XIII. Title IV (Phase II Acid Rain) Permit Allowances and Requirements

Phase II Permit - The attached Phase II permit is incorporated into this permit by reference (Appendix A), including the attached NO_x Compliance Plan and attached NO_x Averaging Plan. The owners and operators of the source shall comply with the standard requirements and special provisions set forth in the application.
(9 VAC 5-80-440 and 9 VAC 5-80-490 A.4.a. and c., B, C, E, F, M, O and P)

XIV. NO_x Allowance Budget Trading Permit Requirements

A. General Conditions

1. A review of the air emission units included in this permit approval has determined that the equipment listed in the following table meets the definition of a NO_x Budget Unit and falls subject to the NO_x Budget emission limitations under 9 VAC 5-140-40 or for opt-in sources 9 VAC 5-140-800. As required by 9 VAC 5-140-200 A, for each NO_x Budget source required to have a federally enforceable permit, such permit will include the NO_x Allowance Budget Trading permit to be administered by the permitting authority. This section represents the NO_x Budget Trading permit.
(9 VAC 5-140-40) or (9 VAC 5-150-800)

2. The NO_x Budget Trading permit will be administrated by the VADEQ under the authority of 9 VAC 5-80-360 et seq., Article 3 and 9 VAC 5-140-10 et seq.
(9 VAC 5-140-200 A)

3. The following air emission units have been determined to meet the applicability requirements as provided in 9 VAC 5-140-40 A.1 and A.2. Units that do not meet this definition, are not defined as 25-Ton Exemption Units and are not permanently shutdown can be included in the NO_x Budget Trading program as "opt-in" air emission sources.
(9 VAC 5-140-40 A) for Opt-In sources (9 VAC 5-140-800).

Table XIV – 1
Facility NO_x Budget Units

Facility Unit ID	Unit NATS Code	Unit Name and description	Maximum Heat Capacity (MMBtu/hr)	Maximum Generation Capacity (megawatts)
1	010774000001	Spreader Stoker Boiler #1 combusts Coal, Tall Oil & Coal, or No.2 Fuel Oil & Coal to generate steam for process use and electricity generation	400 (nominal)	31.35
2	010774000002	Spreader Stoker Boiler #2 combusts Coal, Tall Oil & Coal, or No.2 Fuel Oil & Coal to generate steam for process use and electricity generation	400 (nominal)	31.35

4. This NO_x Budget Trading permit will become effective on **January 1, 2006**. (9 VAC 5-140-240.1)

B. Standard Requirements

1. Monitoring requirements.

   a. The owners and operators and, to the extent applicable, the NO_x authorized account representative of each NO_x Budget source and each NO_x Budget unit at the source shall comply with the monitoring requirements of Article 8 (9 VAC 5-140-700 et seq.) of this part.
   (9 VAC 5-140-60 B.1)

   b. The emissions measurements recorded and reported in accordance with 9 VAC 5-140-700 et seq. and Subpart H of 40 CFR Part 97 shall be used to determine compliance by the unit with the NO_x Budget emissions limitation under paragraphs B.2.a. through B.2.h. The following approved methods will be used to calculate NO_x Control Period and Annual emission rates:
   (9 VAC 5-140-60 B.2)

Table XIV - 2

NO_x Mass Emission Rate Monitoring

UNIT TYPE	ITEM MONITORED	MONITORING METHODS (40 CFR 75)
COAL-FIRED	NOx concentration (ppm) STACK FLOW NOx rate (lb/mm btu) DILUENT GAS (02 OR C02) HEAT rate (mm btu/hr)	CEMS STACK FLOW MONITOR CEMS DILUENT GAS MONITOR STACK FLOW MONITOR
GAS OR OIL FIRED	NOx concentration (ppm) NOx rate (lb/mm btu) STACK FLOW DILUENT GAS (02 OR C02) HEAT rate (mm btu/hr) NOx rate (lb/mm btu) HEAT rate (mm btu/hr)	CEMS CEMS STACK FLOW MONITOR DILUENT GAS MONITOR STACK FLOW MONITOR Appendix E Appendix D
LME ONLY OPTION	NOx rate (lb/mm btu) HEAT rate (mm btu/hr)	Appendix E, or default or unit specific from 40 CFR 75.19 Appendix D, or default or unit specific from 40 CFR 75.19

(9 VAC 5-140-60 B.1 and 9 VAC 5-140-60 B.2)

2. Nitrogen oxide requirements.

a. The owners and operators of each NO_x Budget source and each NO_x Budget unit at the source shall hold NO_x allowances available for compliance deductions under 9 VAC 5-140-540 A, B, E, or F, as of the NO_x allowance transfer deadline, in the unit's compliance account and the source's overdraft account in an amount not less than the total NO_x emissions for the control period from the unit, as determined in accordance with Article 8 (9 VAC 5-140-700 et seq.) of this part, plus any amount necessary to account for actual utilization under 9 VAC 5-140-420 E for the control period or to account for excess emissions for a prior control period under 9 VAC 5-140-540 D or to account for withdrawal from the NO_x Budget Trading Program, or a change in regulatory status, of a NO_x Budget opt-in unit under 9 VAC 5-140-860 or 9 VAC 5-140-870.
(9 VAC 5-140-60 C.1)

b. Each ton of nitrogen oxides emitted in excess of the NO_x Budget emissions limitation shall constitute a separate violation of this part, the Clean Air Act, and applicable Virginia Air Pollution law.
(9 VAC 5-140-60 C.2)

c. A NO_x Budget unit shall be subject to the requirements under 9 VAC 5-140-60 C.1 starting on the later of May 1, 2004 or the date on which the unit commences operation.
(9 VAC 5-140-60 C.3)

d. NO_x allowances shall be held in, deducted from, or transferred among NO_x Allowance Tracking System accounts in accordance with Article 5 (9 VAC 5-140-400 et seq.), Article 6 (9 VAC 5-140-500 et seq.), Article 7 (9 VAC 5-140-600 et seq.), and Article 9 (9 VAC 5-140-800 et seq.) of this part.
(9 VAC 5-140-60 C.4)

e. A NO_x allowance shall not be deducted, in order to comply with the requirements under 9 VAC 5-140-60 C.1 for a control period in a year prior to the year for which the NO_x allowance was allocated.
(9 VAC 5-140-60 C.5)

f. A NO_x allowance allocated by the permitting authority or the administrator under the NO_x Budget Trading Program is a limited authorization to emit one ton of nitrogen oxides in accordance with the NO_x Budget Trading Program. No provision of the NO_x Budget Trading Program, the NO_x Budget permit application, the NO_x Budget permit, or an exemption under 9 VAC 5-140-50 and no provision of law shall be construed to limit the authority of the United States or the State to terminate or limit such authorization.
(9 VAC 5-140-60 C.6)

g. A NO_x allowance allocated by the permitting authority or the administrator under the NO_x Budget Trading Program does not constitute a property right.
(9 VAC 5-140-60 C.7)

h. Upon recordation by the administrator under Article 6 (9 VAC 5-140-500 et seq.), Article 7 (9 VAC 5-140-600 et seq.), or Article 9 (9 VAC 5-140-800 et seq.) of this part, every allocation, transfer, or deduction of a NO_x allowance to or from a NO_x Budget unit's compliance account or the overdraft account of the source where the unit is located is deemed to amend automatically, and become a part of, any NO_x Budget permit of the NO_x Budget unit by operation of law without any further review.
(9 VAC 5-140-60 C.8)

3. Excess emissions requirements.
   a. The owners and operators of a NO_x Budget unit that has excess emissions in any control period shall:

      1. Surrender the NO_x allowances required for deduction under 9 VAC 5-140-540 D 1; and

      2. Pay any fine, penalty, or assessment or comply with any other remedy imposed under 9 VAC 5-140-540 D 3.

C. Recordkeeping and Reporting Requirements.

The following requirements concerning recordkeeping and reporting shall apply:

1. Unless otherwise provided, the owners and operators of the NO_x Budget source and each NO_x Budget unit at the source shall keep on site at the source each of the following documents for a period of five years from the date the document is created. This period may be extended for cause, at any time prior to the end of five years, in writing by the permitting authority or the administrator.
(9 VAC 5-140-60 E.1)

2. The account certificate of representation for the NO_x authorized account representative for the source and each NO_x Budget unit at the source and all documents that demonstrate the truth of the statements in the account certificate of representation, in accordance with 9 VAC 5-140-130; provided that the certificate and documents shall be retained on site at the source beyond such five-year period until such documents are superseded because of the submission of a new account certificate of representation changing the NO_x authorized account representative.
(9 VAC 5-140-60 E.1)

3. All emissions monitoring information, in accordance with Article 8 (9 VAC 5-140-700 et seq.) of this part; provided that to the extent that Article 8 (9 VAC 5-140-700 et seq.) of this part provides for a three-year period for recordkeeping, the three-year period shall apply.
(9 VAC 5-140-60 E.1)

4. Copies of all reports, compliance certifications, and other submissions and all records made or required under the NO_x Budget Trading Program.
(9 VAC 5-140-60 E.1)

5. Copies of all documents used to complete a NO_x Budget permit application and any other submission under the NO_x Budget Trading Program or to demonstrate compliance with the requirements of the NO_x Budget Trading Program.
(9 VAC 5-140-60 E.1)

6. The NO_x authorized account representative of a NO_x Budget source and each NO_x Budget unit at the source shall submit the reports and compliance certifications required under the NO_x Budget Trading Program, including those under Article 4 (9 VAC 5-140-300 et seq.), Article 8 (9 VAC 5-140-700 et seq.), or Article 9 (9 VAC 5-140-800 et seq.) of this part.
(9 VAC 5-140-60 E.1)

D. Emission Testing

1. The permitted facility shall be constructed so as to allow for emissions testing at any time using appropriate methods. Upon request from the Department, test ports will be provided at the appropriate locations.
(9 VAC 5-50-30 and 9 VAC 5-140-300)

2. If testing is conducted in addition to the monitoring specified in this permit, the permittee shall use the following test methods in accordance with procedures approved by the DEQ as follows:

Pollutant or Stack Parameter	**CEM Certification Test Method 40 CFR 75**
NO_x Concentration	USEPA Method 20 or 7e
Opacity	USEPA Method 9
Fuel use / heat flow	40 CFR 75, Appendix D

(9 VAC 5-140-300 to 310)

E. Liability

1. Any person who knowingly violates any requirement or prohibition of the NO_x Budget Trading Program, a NO_x Budget permit, or an exemption under 9 VAC 5-140-50 shall be subject to enforcement pursuant to applicable State or Federal law.
(9 VAC 5-140-60 F.1)

2. Any person who knowingly makes a false material statement in any record, submission, or report under the NO_x Budget Trading Program shall be subject to criminal enforcement pursuant to the applicable State or Federal law.
(9 VAC 5-140-60 F.2)

3. No permit revision shall excuse any violation of the requirements of the NO_x Budget Trading Program that occurs prior to the date that the revision takes effect.
(9 VAC 5-140-60 F.3)

4. Each NO_x Budget source and each NO_x Budget unit shall meet the requirements of the NO_x Budget Trading Program.
(9 VAC 5-140-60 F.4)

5. Any provision of the NO_x Budget Trading Program that applies to a NO_x Budget source or the NO_x authorized account representative of a NO_x Budget source shall also apply to the owners and operators of such source and of the NO_x Budget units at the source.
(9 VAC 5-140-60 F.5)

6. Any provision of the NO_x Budget Trading Program that applies to a NO_x Budget unit or the NO_x authorized account representative of a NO_x budget unit shall also apply to the owners and operators of such unit. Except with regard to the requirements applicable to units with a common stack under Article 8 (9 VAC 5-140-700 et seq.), the owners and operators and the NO_x authorized account representative of one NO_x Budget unit shall not be liable for any violation by any other NO_x Budget unit of which they are not owners or operators or the NO_x authorized account representative and that is located at a source of which they are not owners or operators or the NO_x authorized account representative.
(9 VAC 5-140-60 F.6)

F. Effect on Other Authorities.

1. No provision of the NO_x Budget Trading Program, a NO_x Budget permit application, a NO_x Budget permit, or an exemption under 9 VAC 5-140-50 shall be construed as exempting or excluding the owners and operators and, to the extent applicable, the NO_x authorized account representative of a NOx Budget source or NO_x Budget unit from compliance with any other provision of the applicable, approved State implementation plan, a federally enforceable permit, the Clean Air Act.
(9 VAC 5-140-60 G)

XV. State-Only Enforceable Requirements

The following terms and conditions are not required under the federal Clean Air Act or under any of its applicable federal requirements, and are not subject to the requirements of 9 VAC 5-80-690 concerning review of proposed permits by EPA and draft permits by affected states.

1. Odor (9 VAC 5 Chapter 40, Article 2)
2. State toxics rule (9 VAC 5 Chapter 60)

(9 VAC 5-80-490 N and 9 VAC 5-80-700)